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# FEDERAL REGISTER

VOLUME 10 NUMBER 6

*Washington, Tuesday, January 9, 1945*

## *Regulations*

### TITLE 7—AGRICULTURE

#### Chapter XI—War Food Administration (Distribution Orders)

[WFO 75-1, Amdt. 6]

#### PART 1410—LIVESTOCK AND MEATS

#### CONVERSION WEIGHT FACTORS

War Food Order No. 75-1, as amended (8 F.R. 11327, 9 F.R. 4319, 5888, 8174, 9815, 14381), is further amended by adding to the table set forth under the title "Beef" in paragraph (p) (2), the following:

Canned beef and gravy---------- 2.28

This amendment shall become effective at 12:01 a. m., e. w. t., January 7, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-1, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 8 F.R. 11119, 9 F.R. 4319)

Issued this 6th day of January 1945.

C. W. KITCHEN,
*Acting Director of Marketing Services.*

[F. R. Doc. 45-576; Filed, Jan. 6, 1945; 3:32 p. m.]

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### TITLE 14—CIVIL AVIATION

#### Chapter II—Administrator of Civil Aeronautics

[Amdt. 60]

#### PART 600—DESIGNATION OF CIVIL AIRWAYS

#### MISCELLANEOUS AIRWAYS

DECEMBER 9, 1944.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

*Designation of civil airways: Red Civil Airway No. 46 and Blue Civil Airway No. 40. Redesignation of civil airways: Red Civil Airways Nos. 8 and 13. Blue Civil Airway No. 7.*

1. By amending § 600.10207 *Red civil airway No. 8 (Concord, N. H., to U. S.-Canadian Border)* to read as follows:

§ 601.10207 *Red civil airway No. 8 (Hartford, Conn., to U. S.-Canadian Border).* From the Hartford, Conn., radio range station via the intersection of the center lines of the on course signals of the northwest leg of the Hartford, Conn., radio range and the south leg of the Westfield, Mass., radio range to the Westfield, Mass., radio range station. From the Concord, N. H., radio range station to the Portland, Maine, radio range station. From the Bangor, Maine, radio range station to the intersection of the center line of the on course signal of the northeast leg of the Bangor, Maine, radio range and the U. S.-Canadian Border.

2. By amending §600.10212 *Red civil airway No. 13 (Westfield, Mass., to Boston, Mass.)* to read as follows:

§ 600.10212 *Red civil airway No. 13 (Bellefonte, Pa., to Boston, Mass.).* From the intersection of the center lines of the on course signals of the east leg of the Bellefonte, Pa., radio range and the southwest leg of the Wilkes-Barre, Pa., radio range via the Wilkes-Barre, Pa., radio range station; Stewart Field, N. Y., radio range station; Hartford, Conn., radio range station and the Providence, R. I., radio range station to the intersection of the center lines of the on course signals of the northeast leg of the Providence, R. I., radio range and the southwest leg of the Boston, Mass., radio range.

3. By adding a new § 600.10245 *Red civil airway No. 46 (Oakland, Calif., to Sacramento, Calif.)* to read as follows:

§ 600.10245 *Red civil airway No. 46 (Oakland, Calif., to Sacramento, Calif.).* From the intersection of the center lines of the on course signals of the northwest leg of the Oakland, Calif., radio range and the southwest leg of the Fairfield-

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FEDERAL REGISTER

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Suisun, Calif., radio range via the Fairfield-Suisun, Calif., radio range station to the intersection of the center lines of the on course signals of the northeast leg of the Fairfield-Suisun, Calif., radio range and the northwest leg of the Sacramento, Calif., radio range.

4. By amending § 600.10306 *Blue civil airway No. 7 (San Francisco, Calif., to Evergreen, Calif.)*, to read as follows:

§ 600.10306 *Blue civil airway No. 7 (Fresno, Calif., to Hamilton Field, Calif.).* From the intersection of the center lines of the on course signals of the southeast leg of the San Francisco, Calif., radio range and the southeast leg of the Oakland, Calif., radio range to the San Francisco, Calif., radio range station. From the Oakland, Calif., radio range station to a point at 38°02'45" north latitude and 122°31'40" west longitude.

5. By adding a new § 600.10339 *Blue civil airway No. 40 (Concord, N. H., to Burlington, Vt.)* to read as follows:

§ 600.10339 *Blue civil airway No. 40 (Concord, N. H., to Burlington, Vt.).* From the Concord, N. H., radio range station via a point at 43°38' north latitude and 72°20' west longitude and a point at 44°12' north latitude and 72°34' west longitude to the Burlington, Vt., radio range station.

This amendment shall become effective 0001 e. w. t. December 31, 1944.

T. P. WRIGHT,
*Administrator.*

[F. R. Doc. 45-586; Filed, Jan. 8, 1945; 9:40 a. m.]

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[Amdt. 86]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

MISCELLANEOUS AIRWAYS

DECEMBER 9, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

*Designation of Airway Traffic Control Areas: Red Civil Airway No. 46 and Blue Civil Airway No. 40. Redesignation of Airway Traffic Control Areas: Red Civil Airways Nos. 8 and 13. Blue Civil Airway No. 7. Designation of Radio Fixes: Red Civil Airway No. 46 and Blue Civil Airway No. 40. Redesignation of Radio Fixes: Green Civil Airways Nos. 3 and 4. Amber Civil Airways Nos. 6 and 7. Red Civil Airways Nos. 8, 13, 14 and 19. Blue Civil Airways Nos. 7 and 18*

1. By striking in § 601.10208 *Red civil airway No. 8 airway traffic control areas (Concord, N. H., to U. S.-Canadian Border)* the following portion of the caption: "Concord, N. H." and substituting in lieu thereof the following: "Hartford, Conn."

2. By amending § 601.10213 *Red civil airway No. 13 airway traffic control areas (Westfield, Mass., to Hillsgrove, R. I.)* to read as follows:

§ 601.10213 *Red civil airway No. 13 airway traffic control areas (Bellefonte,*

*Pa., to Boston, Mass.)*. All of Red civil airway No. 13.

3. By adding a new § 601.10246 *Red civil airway No. 46 airway traffic control areas (Oakland, Calif., to Sacramento, Calif.)* to read as follows:

§ 601.1024[illegible] *Red civil airway No. 46 airway traffic control areas (Oakland, Calif, to Sacramento, Calif.)*. All of Red civil airway No. 46.

4. By amending § 601.10307 *Blue civil airway No. 7 airway traffi control areas (Evergreen, Calif., to San Francisco, Calif.)* to read as follows:

§ 601.10307 *Blue civil airway No. 7 airway traffic control areas (Fresno, Calif., to Hamilton Field, Calif.)*. All of Blue civil airway No. 7.

5. By adding a new § 601.10340 *Blue civil airway No. 40 airway traffic control areas (Concord, N. H., to Burlington, Vt.)* to read as follows:

§ 601.10340 *Blue civil airway No. 40 airway traffic control areas (Concord, N. H., to Burlington, Vt.)*. All of Blue civil airway No. 40.

6. By deleting in § 601.4003 *Green civil airway No. 3 (San Francisco, Calif., to New York, N. Y.)* the following: "the intersection of the center lines of the on course signals of the southeast leg of the Chicago, Ill., radio range and the west leg of the Goshen, Ind., radio range;"

7. By deleting in § 601.4004 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)* the following: "the intersection of the center lines of the on course signals of the north leg of the Dayton, Ohio radio range and the west leg of the Columbus, Ohio radio range;" and also deleting: "the intersection of the center lines of the on course signals of the west leg of the Harrisburg, Pa., radio range and the south leg of the Bellefonte, Pa., radio range;"

8. By deleting in § 601.4016 *Amber civil airway No. 6 (Jacksonville, Fla., to Niagara Falls, N. Y.)* the following: "the intersection of the center lines of the on course signals of the northwest leg of the Cincinnati, Ohio radio range and the southwest leg of the Dayton, Ohio radio range;"

9. By deleting in § 601.4017 *Amber civil airway No. 7 (Miami, Fla., to Caribou, Maine)* the following: "the intersection of the center lines of the on course signals of the northeast leg of the Florence, S. C., radio range and the southwest leg of the Raleigh, N. C., radio range; the intersection of the center lines of the on course signals of the northeast leg of the Fort Bragg, N. C., radio range and the southwest leg of the Raleigh, N. C., radio range;"

10. By striking in § 601.40208 *Red civil airway No. 8 (Concord, N. H., to U. S.-Canadian Border)* the following portion of the caption: "Concord, N. H." and substituting in lieu thereof the following: "Hartford, Conn."

11. By amending § 601.40213 *Red civil airway No. 13 (Westfield, Mass., to Boston, Mass.)* to read as follows:

§ 601.40213 *Red civil airway No. 13 (Bellefonte, Pa., to Boston, Mass.)* Wilkes-Barre, Pa., radio range station; Stewart Field, N. Y., radio range station; Providence, R. I., radio range station.

12. By amending § 601.40214 *Red civil airway No. 14 (Lone Rock, Wis., to Louisville, Ky.)* to read as follows:

§ 601.40214 *Red civil airway No. 14 (Lone Rock, Wis., to Louisville, Ky.)*. Rockford, Ill., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Lafayette, Ind., radio range and the northwest leg of the Indianapolis, Ind., radio range.

13. By amending § 601.40219 *Red civil airway No. 19 (Dayton, Ohio to Grand Rapids, Mich.)* to read as follows:

§ 601.40219 *Red civil airway No. 19 (Dayton, Ohio, to Grand Rapids, Mich)*. Fort Wayne, Ind., radio range station.

14. By adding a new § 601.40246 *Red civil airway No. 46 (Oakland, Calif., to Sacramento, Calif.)* to read as follows:

§ 601.40246 *Red civil airway No. 46 (Oakland, Calif., to Sacramento, Calif.)*. The intersection of the center lines of the on course signals of the northwest leg of the Oakland, Calif., radio range and the southwest leg of the Fairfield-Suisun, Calif., radio range; Fairfield-Suisun, Calif., radio range station.

15. By amending § 601.40307 *Blue civil airway No. 7 (San Francisco, Calif., to Evergreen, Calif.)* to read as follows:

§ 601.40307 *Blue civil airway No. 7 (Fresno, Calif., to Hamilton Field, Calif.)*. No radio fix designation.

16. By amending § 601.40318 *Blue civil airway No. 18 (Newark, N. J., to Burlington, Vt.)* to read as follows:

§ 601.40318 *Blue civil airway No. 18 (Newark, N. J., to Burlington, Vt.)*. No radio fix designation.

17. By adding a new § 601.40340 *Blue civil airway No. 40 (Concord, N. H., to Burlington, Vt.)* to read as follows:

§ 601.40340 *Blue civil airway No. 40 (Concord, N. H. to Burlington, Vt.)* No radio fix designation.

This amendment shall become effective 0001 e. w. t., December 31, 1944.

T. P. WRIGHT,
*Administrator.*

[F. R. Doc. 45-587; Filed, Jan. 8, 1945; 9:40 a. m.]

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## TITLE 29—LABOR

### Chapter VI—National War Labor Board

### PART 802—RULES OF PROCEDURE

#### MISCELLANEOUS AMENDMENTS

The following sections of the rules of organization and procedure[1] have been amended as follows:

1. In § 802.29, paragraph (b) is amended to read as follows:

§ 802.29 *Appointment of arbitrator.* * * *

(b) *Selection of arbitrator.* The appropriate Disputes Division shall select a name from a list of persons who have been approved by the Board or its agent for service as arbitrators. In the case of the appointment of an impartial Chairman, however, the proposed name shall be submitted for approval to the labor and industry members of the Board or its agent, as the case may be.[1] Unless the parties otherwise agree, the appointment of an arbitrator shall not be delegated by the Board or its agent to an association, agency, or individual.

2. The third and fourth sentences of § 802.31 (a) are amended to read as follows:

§ 802.31 *Review of arbitrator's award on wage or salary issues.* * * *

(a) * * * In making such determination, the Regional Board or Industry Commission and their staff members shall accept additional evidence, comments, briefs, or oral argument, only where said Board or Commission has specifically requested such material. Requests for additional information by the Board or its agent shall be made to the arbitrator, who shall, where necessary, secure the information from the parties and transmit it to the Board, or such request may be addressed directly to the parties, if the circumstances of the case make that procedure more appropriate.[2]

3. Paragraph (a) of § 802.41 is amended to read as follows:

§ 802.41 *Processing by Appeals Committee of petitions for review.* (a) All petitions for review of a ruling or directive order of an agent of the Board shall, when filed with the Board, be referred to the Appeals Committee. If the Appeals Committee determines from a review of the petition and the answer, if any, (1) that it has not been demonstrated that any of the criteria enumerated in § 802.38 above have been met, and that the petition should therefore be denied, or (2) that the petition has met one of these criteria and should therefore be entertained, or (3) that as to some issues the petition should be denied and as to others it should be entertained, the Committee shall make an appropriate recommendation to the Board. If the petition is denied, in whole or in part, the Board shall issue an appropriate directive order or ruling as provided in § 802.42 below. If the Board decides that the petition should be entertained in whole or in part, the Committee shall report to the Board as soon as may be its recommendations as to the merits. When the Committee considers the merits of any issue, it shall limit its consideration to the file of the agent of the Board and the petition and the answer thereto; any subsequent documents received by the Committee from the parties shall not be considered as part of the record.[3]

Adopted December 18, 1944.

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[1] 8 F.R. 16712.

[1] NWLB Resolution of Feb. 14, 1944.

[2] Memorandum to Chairman of Regional Boards and Commissions from Executive Director, dated March 2, 1944.

[3] NWLB Resolution of March 7, 1944.

(E.O. 9017, 7 F.R. 237; E.O. 9250, 7 F.R. 7871; War Labor Disputes Act, P.L. 89, 78th Cong.)

THEODORE W. KHEEL,
*Executive Director.*

[F. R. Doc. 45-591; Filed, Jan. 8, 1945; 9:38 a. m.]

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## TITLE 32—NATIONAL DEFENSE

### Chapter VI—Selective Service System

[Amdt. 273]

### PART 629—PHYSICAL EXAMINATION

#### MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (b) of § 629.2 to read as follows:

§ 629.2 *Order to report for preinduction physical examination.* * * *

(b) In filling a preinduction physical examination call, the local board, in the sequence provided in this paragraph, shall mail an Order to Report—Preinduction Physical Examination (Form 215) to specified registrants who have been classified in Class I-A or Class I-A-O, without regard to whether the registrant has requested or will request a personal appearance before the local board and without regard to whether an appeal has been or will be taken. The local board, in filling such preinduction physical examination call, shall, so far as is practicable, select and order to report for preinduction physical examination such specified registrants in the order of the groups listed below:

(1) Volunteers in the sequence they have volunteered for induction;

(2) Nonfathers in the sequence of their order numbers except that a nonfather placed in Class I-A or Class I-A-O because he is a delinquent or because he left an agricultural occupation or endeavor or because he left an activity in support of the national health, safety, or interest or in war production without a determination of his local board favorable to such leaving shall, regardless of his order number, be ordered to report for preinduction physical examination before any other nonfather; and

(3) Fathers in the sequence of their order numbers except that a father placed in Class I-A or Class I-A-O because he is a delinquent or because he left an agricultural occupation or endeavor or because he left an activity in support of the national health, safety, or interest or in war production without a determination of his local board favorable to such leaving shall, regardless of his order number, be ordered to report for preinduction physical examination before any other father.

2. Amend § 629.32 to read as follows:

§ 629.32 *Mailing Certificate of Fitness to registrant accepted or rejected.* When a Certificate of Fitness (Form 218) indicates that a registrant has been found qualified for general military service or qualified for limited military service or acceptable for military service or that a registrant has been rejected, the local board shall immediately mail the original of such certificate to the registrant and shall record the date of mailing of such Certificate of Fitness (Form 218) on the registrant's Selective Service Questionnaire (Form 40).

3. Amend paragraph (c) of § 629.34 to read as follows:

§ 629.34 *Action when registrant's status not determined.* * * *

(c) The induction station will then determine the acceptability and will complete the Certificate of Fitness (Form 218) of the registrant. If the induction station is unable to determine whether such registrant is qualified for general military service or qualified for limited military service or acceptable for military service or should be rejected, it will request that the registrant be again forwarded to the induction station for further preinduction examination. Upon receiving such a request from the induction station, the local board will again mail to the registrant an Order to Report—Preinduction Physical Examination (Form 215), note his special status in the Remarks Column of the Physical Examination List (Form 217), and again forward him to the induction station for completion of his preinduction physical examination.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
*Director.*

JANUARY 4, 1945.

[F. R. Doc. 45-477; Filed, Jan. 5, 1945; 8:35 p. m.]

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[Amdt. 274]

### PART 632—INDUCTION CALLS

#### MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 632.1 to read as follows:

§ 632.1 *Call for men for military service.* (a) The Secretary of War will issue to the Director of Selective Service requisitions for the number of specified men who have been found to be qualified for general military service required for service in the Army. The Secretary of War will also issue to the Director of Selective Service requisitions for the number of specified men who have been found to be acceptable for military service required for service in the Army. The Secretary of the Navy will issue to the Director of Selective Service requisitions for the number of specified men who have been found to be qualified for general military service required for service in the Navy (including the Marine Corps and Coast Guard).

(b) The Director of Selective Service shall (1) allocate to the States concerned the number of specified men who have been found to be qualified for general military service requisitioned by the Secretary of War and the Secretary of the Navy, (2) allocate to the States concerned the number of specified men who have been found to be acceptable for military service requisitioned by the Secretary of War, (3) issue to the State Director of Selective Service of each State concerned a Notice of Call on State (Form 12) for the number of specified men who have been found qualified for general military service allocated to each State, (4) issue to the State Director of Selective Service of each State concerned a Notice of Call on State (Form 12) for the number of specified men who have been found acceptable for military service allocated to each State, (5) send two copies of such Notice of Call on State (Form 12) for the number of specified men who have been found to be qualified for general military service or to be acceptable for military service to the Secretary of War, and (6) send two copies of such Notice of Call on State (Form 12) for the number of specified men who have been found to be qualified for general military service to the Secretary of the Navy.

(c) The State Director of Selective Service, upon receiving a Notice of Call on State (Form 12) from the Director of Selective Service for specified men who have been found qualified for general military service, shall (1) allocate to the local boards concerned within his State the number of specified men who have been found to be qualified for general military service which his State is called upon to furnish for service in the armed forces, and (2) issue to each local board concerned a Notice of Call (Form 10) directing the local board to select and deliver for induction the number of specified men who have been found to be qualified for general military service fixed in such Notice of Call (Form 10). The State Director of Selective Service, upon receiving a Notice of Call on State (Form 12) from the Director of Selective Service for specified men who have been found acceptable for military service shall (1) allocate to the local boards concerned within his State the number of specified men who have been found to be acceptable for military service which his State is called upon to furnish for service in the armed forces and (2) issue to each local board concerned a Notice of Call (Form 10) directing the local board to select and deliver for induction the number of specified men who have been found to be acceptable for military service fixed in such Notice of Call (Form 10). The State Director of Selective Service shall send a copy of each Notice of Call (Form 10) to the

Commanding General of the Service Command and a copy to the Commanding Officer of the induction station to which the selected men are directed to report for induction.

(d) Each local board, upon receiving a Notice of Call (Form 10) from the State Director of Selective Service for specified men who have been found qualified for general military service shall select the number of specified men who have been found qualified for general military service required to fill the call. Each local board, upon receiving a Notice of Call (Form 10) from the State Director of Selective Service for specified men who have been found acceptable for military service shall select the number of specified men who have been found acceptable for military service required to fill the call.

2. Amend § 632.3 to read as follows:

§ 632.3 *Manner of allocating requisitions and calls.* The requisitions of the Secretary of War and of the Secretary of the Navy and the calls of the Director of Selective Service and of the State Directors of Selective Service shall (notwithstanding the provisions of section 4 (b) of the Selective Training and Service Act of 1940, as amended) be allocated on the basis of the best information available at the time of allocating calls, without affecting the usual regular and orderly flow of the Nation's manpower into the armed forces as required for service therein, and in accordance with the provisions of the Selective Training and Service Act of 1940, as amended, so that registrants shall, on a Nation-wide basis within the Nation and a State-wide basis within each State, be ordered for induction in accordance with such requisitions of the Secretary of War and of the Secretary of the Navy in such a manner that registrants who are fathers as defined in § 632.7 will be inducted after the induction of other registrants not deferred, exempted, relieved from liability, or postponed from induction under selective service law who are available for induction and who have been found to be qualified for general military service or acceptable for military service, as the case may be.

3. Amend § 632.4 to read as follows:

§ 632.4 *Manner of selecting registrants to fill an induction call for men qualified for general military service.* (a) In filling an induction call for specified men who have been found qualified for general military service, the local board, in the sequence provided in paragraph (b) of this section, shall select and order to report for induction specified men to whom the local board has mailed a Certificate of Fitness (Form 218) at least 21 days before the date fixed for induction who are available for induction and have been found qualified for general military service and who are not deferred, exempted, or relieved from liability or postponed from induction under the selective service law.

(b) Insofar as it is practicable to do so without affecting the usual orderly and regular flow of the Nation's manpower into the armed forces, the local board shall select and order to report for induction such specified men in the order of the groups listed below:

(1) Volunteers in the sequence they have volunteered for induction;

(2) Nonfathers in the sequence of their order numbers except that a nonfather placed in Class I–A or Class I–A–O because he is a delinquent or because he left an agricultural occupation or endeavor or because he left an activity in support of the national health, safety, or interest or in war production without a determination of his local board favorable to such leaving shall, regardless of his order number, be ordered to report for induction before any other nonfather; and

(3) Fathers in the sequence of their order numbers except that a father placed in Class I–A or Class I–A–O because he is a delinquent or because he left an agricultural occupation or endeavor or because he left an activity in support of the national health, safety or interest or in war production without a determination of his local board favorable to such leaving shall, regardless of his order number, be ordered to report for induction before any other father.

4. Amend the regulations by adding a new section to be known as § 632.4–1 to read as follows:

§ 632.4–1 *Manner of selecting registrants to fill an induction call for men acceptable for military service.* In filling an induction call for specified men who have been found acceptable for military service, but who have not been found to be qualified for general military service, the local board shall select and order to report for induction such specified men in the manner and sequence of groups provided in § 632.4.

5. Amend paragraph (a) of § 632.6 to read as follows:

§ 632.6 *Certain registrants inducted without calls.* (a) Any man, age 18 through 37, who signs a Request for Immediate Induction (Form 219) and is in a class available for service, provided an appeal is not pending in his case and the period during which an appeal may be taken has expired, may be forwarded for induction at the time the local board is forwarding men for preinduction physical examination or for induction or at any other time when special arrangements have been made with the induction station without any calls being made for the delivery of such men.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
*Director.*

JANUARY 4, 1945.

[F. R. Doc. 45–478; Filed, Jan. 5, 1945; 3:35 p. m.]

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[Amdt. 275]

## PART 642—DELINQUENTS

### ORDER TO REPORT FOR INDUCTION OR WORK OF NATIONAL IMPORTANCE

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend § 642.13 to read as follows:

§ 642.13 *Certain delinquents to be ordered to report for induction or for work of national importance.* (a) The local board shall order each delinquent registrant between the ages of 18 and 38 to report for induction in the manner provided in § 632.4 who is classified in or reclassified into Class I–A or Class I–A–O unless (1) it has already done so, or (2) pursuant to a written request of the United States Attorney, the local board determines not to order such registrant to report for induction. If such delinquent registrant executes an Application for Voluntary Induction (Form 165) and a Request for Immediate Induction (Form 219), he shall be inducted immediately.

(b) The local board shall forward to the State Director of Selective Service a Conscientious Objector Report (Form 48) for each delinquent registrant between the ages of 18 and 38 in the manner provided in § 652.1 who is classified in or reclassified into Class IV–E unless (1) it has already done so, or (2) pursuant to a written request of the United States Attorney, the local board determines not to forward a Conscientious Objector Report (Form 48) for such registrant to the State Director. The Conscientious Objector Report (Form 48) shall include the statement that such registrant is a delinquent. As soon as the local board receives an Assignment to Work of National Importance (Form 49) for such delinquent registrant, it shall issue to him an Order to Report for Work of National Importance (Form 50).

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United States day after the date of filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
*Director.*

JANUARY 4, 1945.

[F. R. Doc. 45–479; Filed, Jan. 5, 1945; 3:36 p. m.]

[Amdt. 276]

PART 652—ASSIGNMENT AND DELIVERY OF PERSONS TO WORK OF NATIONAL IMPORTANCE UNDER CIVILIAN DIRECTION

REPORT OF CONSCIENTIOUS OBJECTORS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend paragraph (a), add a new paragraph (b), and reletter paragraphs (b) and (c) as paragraphs (c) and (d) of § 652.1 to read as follows:

§ 652.1 *Report of conscientious objector to Director of Selective Service.* (a) When a registrant who has been found qualified for general military service is classified in Class IV–E and his classification is not under consideration on appearance, reopening, or appeal, and the time in which he is entitled to request an appearance or take an appeal has expired, and his order number is reached in the process of selecting Class I–A and Class I–A–O registrants who have been found qualified for general military service to report for induction, the local board shall immediately notify the Director of Selective Service on Conscientious Objector Report (Form 48) that the registrant is available for assignment to work of national importance under civilian direction.

(b) When a registrant who has been found acceptable for military service is classified in Class IV–E and his classification is not under consideration on appearance, reopening, or appeal and the time in which he is entitled to request an appearance or take an appeal has expired and his order number is reached in the process of selecting Class I–A and Class I–A–O registrants who have been found acceptable for military service to report for induction, the local board shall immediately notify the Director of Selective Service on Conscientious Objector Report (Form 48) that the registrant is available for assignment to work of national importance under civilian direction.

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
*Director.*

JANUARY 4, 1945.

[F. R. Doc. 45–480; Filed, Jan. 5, 1945; 8.36 p. m.]

[Amdt. 277]

PART 607—PAYMENT FOR PERSONAL SERVICES

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by deleting § 607.1 in its entirety.
2. Amend the regulations by deleting § 607.2 in its entirety.
3. Amend the regulations by deleting § 607.3 in its entirety.
4. Amend the regulations by deleting § 607.4 in its entirety.
5. Amend the regulations by deleting § 607.5 in its entirety.
6. Amend § 607.6 to read as follows:

§ 607.6 *Time reports.* Each field unit of the Selective Service System shall prepare and submit a report of time and attendance for each pay period on the form and in the manner prescribed by the Director of Selective Service. Original reports of time and attendance shall be certified by those persons or classes of persons designated for that purpose by the State Director of Selective Service.

7. Amend § 607.7 to read as follows:

§ 607.7 *Pay-roll vouchers.* From time and attendance reports submitted by each field unit of the Selective Service System, pay-roll vouchers for each pay period shall be prepared in the State Headquarters for Selective Service. The original of each pay-roll voucher shall be certified to by the State Director of Selective Service, by the State Procurement Officer, or by such other person as may be designated by the Director of Selective Service, and shall be approved by the State Director of Selective Service or the State Procurement Officer.

The foregoing amendments to the Selective Service Regulations shall be effective on January 1, 1945.

JANUARY 5, 1945.

LEWIS B. HERSHEY,
*Director.*

[F. R. Doc. 45–572; Filed, Jan. 6, 1945; 2:57 p. m.]

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[Amdt. 278]

PART 608—EXPENDITURES OTHER THAN FOR PERSONAL SERVICES

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 608.22 to read as follows:

§ 608.22 *Certification of bills.* (a) Telephone and telegraph bills shall contain the following certificate signed by a person or class of persons designated by the State Director of Selective Service:

I certify that the above account is correct and that the service was rendered for prompt transaction of official business.

(b) With reference to long distance telephone tolls, attention is called to the following statutory provisions: "* * * hereafter no part of this or any other appropriation for any executive department, establishment, or agency shall be used for the payment of long distance telephone tolls except for the transaction of public business which the interests of the Government require to be so transacted; and all such payments shall be supported by a certificate by the head of the department, establishment, or agency concerned, or such subordinates as he may specially designate, to the effect that the use of the telephone in such instances was necessary in the interest of the Government." (Sec. 4, act May 10, 1939, 53 Stat. 738; 31 U.S.C. 630 (a).)

(c) The Director of Selective Service will designate one or more certifying officers at State Headquarters for Selective Service for the purpose of executing the following prescribed certificate which shall support all payments of official long distance telephone calls:

Pursuant to section 4 of the act approved May 10, 1939, 53 Stat. 738, I certify that the use of the telephone for the official long distance calls listed herein was necessary in the interest of the Government.

(d) Telegrams, cablegrams, and radiograms on official business shall be endorsed "Selective Service System—Official Business—Government rate" and shall indicate the class of message (telegram, day letter, night letter). On the face of the message the sender shall make this certificate:

I certify that this message is on official business necessary for the public service in the administration of the selective service law.

---
(Signature)

---
(Official title)

2. Amend the regulations by deleting § 608.23 in its entirety.
3. Amend the center heading preceding § 608.31 to read as follows: "Vouchering procedure."
4. Amend § 608.31 to read as follows:

§ 608.31 *Invoices and other claims.* Invoices and other claims for payment from Federal funds appropriated to the Selective Service System will be vouchered and certified in accordance with instructions issued by the Director of Selective Service.

The foregoing amendments to the Selective Service Regulations shall be effective on January 1, 1945.

JANUARY 5, 1945.

LEWIS B. HERSHEY,
*Director.*

[F. R. Doc. 45–573; Filed, Jan. 6, 1945; 2:57 p. m.]

## Chapter VIII—Foreign Economic Administration

### Subchapter B—Export Control

[Amdt. 275]

### PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby amended to read as follows:

| Commodity and Department of Commerce No.: | General License Group |
|---|---|
| Chemical specialties: | |
| Cellulose acetate molding compositions and molding powder, plasticized (include injection molding powder, black, red and white butyrate plasticized), 8265.05 | K |
| Electrical machinery and apparatus: | |
| Electric hair-waving machines (all kinds) containing mica, 7099.96 | K |
| Industrial machinery: | |
| Button-making and button covering machinery and parts, 7750.98. | |
| Button-making and button covering machinery, 7750.98 | K |
| Parts, 7750.98 | K |
| Cotton and jute bag folding machinery and parts, 7750.98. | |
| Cotton and jute bag folding machinery, 7750.98 | K |
| Parts, 7750.98 | K |
| Cotton gins, cotton presses and parts, 7671.00. | |
| Cotton gins and cotton presses, 7671.00 | K |
| Parts, 7671.00 | K |
| Fiber-bending machinery and | |
| Parts, 7750.98 | K |
| Fiber-bending, machinery 7750.98 | K |
| Parts, 7750.98 | K |
| Hat-making machinery and parts, 7750.98. | |
| Hat-making machinery, 7750.98 | K |
| Parts, 7750.98 | K |
| Leather-working machinery and parts (include embossing, shaving and splitting), 7750.98. | |
| Leather-working machinery, 7750.98 | K |
| Parts, 7750.98 | K |
| Linoleum and felt-base machinery and parts, 7750.98. | |
| Linoleum and felt base machinery, 7750.98 | K |
| Parts, 7750.98 | K |
| Rope, twine-making machinery (binder & mill) and parts (except wire rope-making machinery), 7750.98. | |
| Rope, twine-making machinery (except wire rope-making machinery), 7750.98 | K |
| Parts, 7750.98 | K |
| Tanning machinery and parts, 7750.98. | |
| Tanning machinery, 7750.98 | K |
| Parts, 7750.98 | K |
| Textile, sewing, and shoe machinery: | |
| Beaming, warping and slashing machinery and parts, 7542.00. | |
| Beaming, warping and slashing machinery, 7542.00 | K |
| Parts, 7542.00 | K |
| Braiding and insulating machines and parts, 7540.00. | |
| Braiding machines, 7540.00 | K |
| Insulating machines, 7540.00 | None |
| Parts for braiding and insulating machines, 7540.00 | K |
| Carding and other preparing, spinning and twisting machinery and parts, for cotton, 7506.00. | |
| Carding and other preparing, spinning and twisting machinery, 7506.00 | K |
| Parts, 7506.00 | K |
| Carding and other preparing, spinning and twisting machinery and parts, for wool, 7507.00. | |
| Carding and other preparing, spinning and twisting machinery, 7507.00 | K |
| Parts, 7507.00 | K |
| Carding and other preparing, spinning and twisting machinery, and parts, other, including silk throwing machinery and parts, 7508.00. | |
| Carding and other preparing, spinning and twisting machinery, 7508.00 | K |
| Parts, 7508.00 | K |
| Dyeing and finishing machines and parts (report dyeing machines, dry cleaning, in 7738.00), 7544.00 | |
| Dyeing and finishing machines, 7544.00 | K |
| Parts, 7544.00 | K |
| Other knitting machines and parts, 7504.00. | |
| Other knitting machines, 7504.00 | K |
| Other knitting machine parts, 7504.00 | K |
| Looms, parts of, 7517.00 | K |
| Other textile machinery and parts, 7549.00. | |
| Other textile machinery, 7549.00 | K |
| Parts, 7549.00 | K |
| Sewing-machine parts for factory or industrial use, 7553.05 | K |
| Shoe machinery and parts, except sewing machines (report shoe sewing machinery in 7552.00), 7575.00. | |
| Shoe machinery, 7575.00 | K |
| Parts, 7575.00 | K |
| Winders and parts, 7505.00. | |
| Winders, 7505.00 | K |
| Parts, 7505.00 | K |
| Vegetable oil mill machinery and parts (report mineral oil drilling and refining machinery in 7342.00 and 7349.01 thru 7349.98), 7661.00. | |
| Delinting machinery, 7661.00 | K |
| Parts for delinting machinery, 7661.00 | K |
| Other vegetable oil mill machinery and parts, n. e. s., 7661.00 | None |
| Iron and steel advanced manufactures: | |
| Sewing-machine needles (include shoe-machine needles), 6189.00: | |
| Domestic sewing-machine needles, 6189.00 | K |
| Industrial sewing-machine needles, 6189.00 | K |
| Other needles (include handsewing and knitting-machine needles) (report other knitting needles in 9840.98 and phonograph needles in 9239.00), 6190.00. | |
| Knitting-machine needles, 6190.00: | |
| Other needles, 6190.00 | K |
| Miscellaneous vegetable products: | |
| Dyeing and tanning materials, crude, 2999.95: | |
| Divi divi crude, 2999.95 | None |
| Hemlock tan bark, crude, 2999.95 | None |
| Mimosa crude, 2999.95 | None |
| Myrobalans fruit, crude, 2999.95 | None |
| Oak bark, crude, 2999.95 | None |
| Wattle bark, crude, 2999.95 | None |
| Other dyeing and tanning, materials, crude, 2999.95 | K |
| Other nonmetallic minerals, including precious: | |
| Carbon or graphite products: | |
| Electrodes for furnace or electrolytic work: | |
| Carbons: | |
| 1" and over in diameter, 5473.01 | K |
| Up to 1" diameter, 5473.01 | None |
| Graphite: | |
| 1" and over in diameter, 5473.05 | K |
| Up to 1" in diameter, 5473.05 | None |
| Carbon electrodes, n. e. s., 5480.01: | |
| 1" and over in diameter, 5480.01 | K |
| Up to 1' diameter, 5480.01 | None |
| Graphite electrodes, n. e. s., 5480.03 | K |
| Up to 1" in diameter, not copper-coated projection, 5480.03 | None |
| Steel mill manufactures: | |
| Card clothing, 6091.98 | K |
| Vegetable dyeing and tanning extracts: | |
| Other dyeing and tanning extracts: (Include Osage, Quersitron, and Spruce extract) (report crude materials in 2999.95 and tanning specialty compounds in 8239.01 and 8239.98), 2339.98: | |
| Divi divi tanning extract, 2339.98 | None |
| Hemlock tanning extract, 2339.98 | None |
| Mimosa tanning extract, 2339.98 | None |
| Myrobalans tanning extract, 2339.98 | None |
| Oak bark tanning extract, 2339.98 | None |
| Wattle tanning extract, 2339.98 | None |
| Other dyeing and tanning extracts, n. e. s., 2339.98 | K |

This amendment shall be effective immediately, except that with respect to the commodities under the heading "Industrial machinery" and the commodity "Card Clothing" it shall take effect on January 1, 1945, and with respect to the commodities included under the headings "Miscellaneous Vegetable Products" and "Vegetable Dyeing and Tanning Extracts" it shall be effective on January 11, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361; 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: December 29, 1944.

S. H. LEBENSBURGER,
*Director,*
*Requirements and Supply Branch,*
*Bureau of Supplies.*

[F. R. Doc. 45-556; Filed, Jan. 6, 1945; 12:12 p. m.]

## Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

### PART 1010—SUSPENSION ORDERS

[Suspension Order S–681]

#### PIEDMONT MILLS

Max Goldberg, Sam B. Goldberg, Esther S. Goldberg, Rosie Goldberg, partners, doing business as Piedmont Mills located at Gastonia, North Carolina, are engaged in the manufacture of cotton knit twist carded yarns. During the first and second quarters of 1944, Piedmont Mills diverted 224,110 pounds of such yarn to unrated orders in violation of General Conservation Order M–317 and its actions constituted wilful violations.

These violations have diverted critical materials to uses unauthorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.681 *Suspension Order No. S–681.* (a) During the first and second quarters of 1945, Max Goldberg, Sam B. Goldberg, Esther S. Goldberg and Rosie Goldberg, partners, doing business as Piedmont Mills, its successors or assigns, shall deliver or set aside for delivery on rated orders its entire production of yarn, and shall not deliver any yarns on unrated orders, unless specifically authorized to do so by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Piedmont Mills, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provision hereof.

Issued this 5th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45–483; Filed, Jan. 5, 1945; 4:24 p. m.]

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### PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, as Amended Jan. 6, 1945]

Sec.


§ 944.1 *Purpose and scope of this regulation; definitions.* This regulation states the basic rules of the War Production Board which apply to all business transactions unless they are covered by more specific regulations or orders of the War Production Board which are inconsistent with this regulation. It includes transactions which are not subject to priority control in any other way than by this regulation. The following definitions apply for purposes of this regulation and any other regulation or order of the War Production Board, unless otherwise indicated.

(a) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(b) "Defense order" means:

(1) Any contract or purchase order for material to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company.

(For status of Panama Canal and Coast Guard in general see Interpretation 1 e.)

(2) Any contract or purchase order placed by any agency of the United States Government for material to be delivered under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) Any contract or purchase order for material which is to be ultimately delivered to the government of any country whose defense the President deems vital to the defense of the United States pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(c) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

§ 944.1a *Certain defense orders rated AA–5.* Every defense order placed after March 18, 1944, for any material which has not been specifically assigned a higher preference rating is hereby assigned a rating of AA–5.

§ 944.1b *Specific authorizations rated AA–5.* When a War Production Board order or regulation with respect to a particular material requires specific authorization for the placing of a purchase order or for delivery or acceptance of delivery, every purchase order for delivery of that material which is specifically authorized pursuant to the order is rated AA–5 unless it is otherwise assigned a higher rating or an applicable order or regulation (for example, Priorities Regulation 25) states that there is no such automatic rating. This does not apply to materials for which ratings may not be used (such as those on List A of Priorities Regulation 3), or materials for which only certain specified ratings may be used (such as those on Schedule A of M–328).

§ 944.2 *Rules for acceptance and rejection of rated orders.* Every order bearing a preference rating must be accepted and filled regardless of existing contracts and orders except in the following cases:

(a) A person must not accept a rated order for delivery on a date which would interfere with delivery on equal or higher rated orders which he has already accepted, or if delivery of the material ordered would interfere with delivery on an order which the War Production Board has directed him to fill for that material or for a product which he makes out of it.

(b) A person must not accept a rated order (except an AAA order) for delivery on a date which can be met only by using material which was specifically produced for delivery on another rated order, and which is completed or is in production and scheduled for completion within 15 days.

(c) If a person, when receiving a rated order bearing a specific delivery date, does not expect to be able to fill it by the time requested, he must not accept it for delivery at that time. He must either (1) reject the order, stating when he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date. He may adopt either of these two courses, depending on his understanding of which his customer would prefer. He may not reject a low rated order just because he expects to receive conflicting higher rated orders in the future, nor because he would for any reason prefer to have higher ratings.

(d) If a person receives a rated order which is not required by § 944.8 to bear a specific delivery date and which he cannot fill promptly, he must accept it as long as he expects to be able to fill it within a reasonable time, unless he makes a consistent practice of not carrying a backlog and rejecting orders which cannot be promptly filled. He may treat different classes of customers differently in this respect, but only if there is a reasonable basis for the distinction. For example, he may make a regular practice of rejecting unfillable orders from all retailers but holding for backlog orders from all industrial customers.

(e) A rated order need not be (but may be) accepted in the following cases, but there must be no discrimination in such cases against rated orders, or between rated orders of different customers:

(1) If the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of

sale or payment. (When a person who has a rating asks a supplier to quote his regularly established prices and terms of sale or payment, the supplier must do so, except that if this would require detailed engineering or accounting work, he may give his best estimate without such work and state that it is not binding. However, the supplier need not quote if he is not required to accept the rated order and knows that he will not do so if he receives it.)

(For status of OPA ceiling prices under this section see Interpretation 2. For rule covering types of sales and types of purchasers see Interpretation 3.)

(2) If the order is for the manufacture of a product or the performance of a service of a kind which the person to whom the order is offered has not usually made or performed, and in addition if either (i) he cannot fill the order without substantially altering or adding to his facilities or (ii) the order can readily be performed by someone else who has usually accepted and performed such orders.

(3) If the order is for material which the person to whom the order is offered produces or acquires for his own use only, and he has not filled any orders for that material within the past two years, except on "special sales" as permitted in Priorities Regulation 13. If he has, but the rated order would take more than the excess over his own needs, he may not reject the rated order unless filling it would interfere with equal or higher rated orders already on hand, or orders which the War Production Board has directed him to fill, for the material or for a product which he makes out of it.

(4) If filling the order would stop or interrupt his production or operations during the next 40 days in a way which would cause a substantial loss of total production or a substantial delay in operations.

(For types of contracts which must be deferred see Interpretation 1b. For rule as to use of facilities of controlled materials producers see Interpretation 4.)

(f) Any person who fails or refuses to accept an order bearing a preference rating shall, upon written request of the person placing the order, promptly give his reasons in writing for his failure or refusal.

(g) Some orders of the War Production Board provide special rules as to the acceptance and rejection of orders for particular materials. In such cases, the rules stated above in this section are inapplicable to the extent that they are inconsistent with the applicable order of the War Production Board. In addition, the War Production Board may specifically direct a person in writing to fill a particular purchase order or orders. In such cases he must do so without regard to any of the above rules in this § 944.2, except that he may insist upon compliance with regularly established prices and terms of payment.

§ 944.3 *Report to War Production Board of improperly rejected orders.* When a rated order is rejected in violation of this regulation, the person who wants to place it may file a report of the relevant facts with the War Production Board, which will take such action as it considers appropriate after requiring an explanation from the person rejecting the order.

§ 944.4 *Assignment of preference ratings.* Preference ratings may be assigned to contracts, orders or deliveries by means of preference rating certificates, or by rules, regulations or orders of the War Production Board assigning ratings to particular orders or deliveries or to specified classes of orders or deliveries. Such ratings may be assigned to accepted contracts or orders, and also to orders which have not been placed or accepted at the time the rating is applied for. Ratings are also assigned by certain governmental agencies, authorized by the War Production Board, to their own purchase orders or contracts. In some cases the War Production Board will raise or lower ratings already assigned and in that event the rules of Priorities Regulation 12 (§ 944.33) apply. Specific orders may also be issued as to particular deliveries or as to the use of particular facilities, without assigning ratings thereto.

§ 944.4a *Cancellation of preference ratings.* If a preference rating which has been assigned to a named person is revoked, he must immediately, in the case of each order to which he has applied the rating, either cancel the order or inform his supplier that it is no longer to be treated as rated. If a regulation or order of the War Production Board which assigns a rating to a class or group of persons without naming them individually, is revoked they may not apply the rating to orders placed after the revocation. Orders to which they have already applied the rating for delivery within three months after the revocation remain validly rated, but, in the case of each order which they have placed for delivery after three months from that date, they must either cancel the order or withdraw the rating. If any person receives notice from his customer or otherwise that the customer's order is no longer rated or that the customer's order is cancelled, he must immediately withdraw any extensions of the rating which he has made to any order placed by him for more than $25 worth of material. The War Production Board may specify different rules for the treatment of outstanding ratings at the time it revokes them.

(For the rules about transferring preference ratings when contracts are assigned, see Interpretation 5.)

§ 944.5 *Sequence of preference ratings.* Preference ratings in order of precedence are: AAA, AA-1, AA-2, AA-2X, AA-3, etc.; A-1-a, A-1-b, etc.; A-2, A-3, etc.; B-1, B-2, etc. The letter "X" after a numeral indicates that such rating is inferior to the rating of the same numeral and superior to the rating of the next numeral. (For example, AA-2X is inferior to AA-2 and superior to AA-3.) The War Production Board, after March 18, 1944, will not assign ratings below AA-5 but any such ratings which were assigned before that date may be applied or extended.

§ 944.6 *Doubtful cases.* Whenever there is doubt as to the preference rating applicable to any order, or as to whether a particular order is a defense order, the matter is to be referred to the War Production Board for determination, with a statement of all pertinent facts.

§ 944.7 *Sequence of filling rated orders.* (a) Every person who has rated orders on hand must schedule his operations, if possible, so as to fill each rated order by the required delivery or performance date (determined as explained in § 944.8). If this is not possible for any reason, he must give precedence to higher over lower rated orders and to all rated over unrated orders. However, material specifically produced for a rated order may not be used to fill a higher rated order (except AAA) subsequently received if the material is completed or is in production and scheduled for completion within 15 days. A low rated order bearing an earlier delivery or performance date must be filled before a higher rated order bearing a later delivery or performance date if it is possible to fill both of them on the required dates.

(b) As between conflicting orders which bear the same preference rating, precedence must be given to the order which was received first with the rating. As between conflicting orders received with the same preference rating on the same date, precedence must be given to the order which has the earlier required delivery or performance date.

(c) If a rated order or the rating applicable to an order is cancelled when the supplier has material in production to fill it, he need not immediately stop to put other rated orders into production if doing so would cause a substantial loss of total production. He may continue to process that material which he had put into production for the cancelled order to a stage of completion which would avoid a substantial loss of total production, but he may not incorporate any material which he needs to fill any rated order on hand. He may not, however, delay putting other rated orders into production for more than 15 days. Special rules regarding controlled materials are given in paragraph (c) (4) of CMP Regulation 2 and Interpretation 2 of that regulation.

(For the effect of changes in customers' orders, see Direction 1 to this regulation. For further explanations of paragraph (b) see Interpretation 1c. For an explanation of how to determine the date on which a purchase order is received, see Interpretation 12).

§ 944.8 *Delivery or performance dates.* (a) Every rated order placed after March 18, 1944, must specify delivery or performance on a particular date or dates or within specified periods of not more than 31 days each, which in no case may be earlier than required by the person placing the order. Any order which fails to comply with this rule must

be treated as an unrated order. The words "immediately" or "as soon as possible", or other words to that effect, are not sufficient for this purpose. There are four exceptions to this rule, where a rated order need not bear a required delivery or performance date as long as it is understood that delivery or performance is required as soon as practicable or customary: (1) Orders for maintenance, repair or operating supplies as identified by the symbol MRO or otherwise; (2) orders placed with or by persons who normally take physical delivery of the item ordered to hold it in stock for resale; (3) orders for not more than $100; (4) orders rated AAA.

(b) The required delivery or performance date, for purposes of determining the sequence of deliveries or performance pursuant to § 944.7, shall be the date on which delivery or performance is actually required. The person with whom the order is placed may assume that the required delivery or performance date is the date specified in the order or contract unless he knows either (1) that the date so specified was earlier than required at the time the order was placed, or (2) that delivery or performance by the date originally specified is no longer required by reason of any change of circumstances. A delay in the scheduled receipt of any other material which the person placing the order requires prior to or concurrently with the material ordered, shall be deemed a change of circumstances within the meaning of the foregoing sentence.

(c) If, after accepting a rated order which specifies the time of delivery, the person with whom it is placed finds that he cannot fill it on time or within 15 days following the specified time, owing to the receipt of higher rated orders or for other reasons, he must promptly notify the customer, telling him approximately when he expects to be able to fill the order.

§ 944.9 *Report to War Production Board of improper delay of orders.* When delivery or performance of a rated order is unreasonably or improperly delayed, the customer may file a report of the relevant facts with the War Production Board, which will take such action as it considers appropriate after requiring an explanation from the person with whom the order is placed.

§ 944.10 *Effect of other regulations and orders.* Specific allocations or other directions of the War Production Board for delivery of material or the use of facilities must be complied with regardless of ratings, unless otherwise specified. If restrictions under two or more regulations or orders of the War Production Board apply to the same subject matter, the most restrictive controls unless otherwise expressly provided. Defense orders or other rated orders are not exempt from restrictions on the amount of materials that may be made or delivered unless expressly so stated.

§ 944.11 *Use or disposition of material acquired with priorities assistance.* (a) Any person who gets material with priorities assistance must, if possible, use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. This restriction applies to material obtained by means of a preference rating, allocation, specific direction, CMP allotment, or any other action of the War Production Board. Physical segregation is not required as long as the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product.

(b) When a material, or a product into which it has been incorporated, can no longer be used for the purpose for which the priorities assistance was given (for example, when the priorities assistance was given to fill a particular contract or purchase order and the material or product does not meet the customer's specifications or the contract or purchase order is cancelled), the holder may use or dispose of it only as follows:

(1) If the holder does not in the regular course of his business sell similar materials or products and the proposed sale is a special sale covered by Priorities Regulation 13, he may sell or transfer it only as provided in that regulation.

(2) If the proposed sale is not one described by paragraph (b) (1), this paragraph (b) imposes no restriction on the sale. However, in such a case the holder must comply with all requirements of other applicable sections of this regulation and of other orders and regulations of the War Production Board. This is true of all such sales of any material including scrap.

(3) Whether or not he is in the regular business of selling similar materials or products, a holder may, within the limitations of paragraph (c) of § 944.14 of this regulation, use it himself for any purpose for which he has the necessary rating or other qualification which would be necessary for a special sale to him under Priorities Regulation 13 or directions issued under it. However, if the material or product is a controlled material or a Class A product obtained pursuant to an allotment under CMP Regulation 1, the holder may use it only in accordance with paragraph (u) of that regulation, or any applicable direction issued under it. In addition, the holder must comply with any applicable War Production Board order that requires him to get permission from the War Production Board before using any particular material or product and he may not use it in any manner or for any purpose prohibited by a regulation or order of the War Production Board. It may also be used in any other manner specifically authorized in writing by the War Production Board. Field offices of the Board will tell applicants how to get authorization.

§ 944.12 *Intra-company deliveries.* When any rule, regulation or order of the War Production Board prohibits or restricts deliveries of any material by any person, such prohibition or restriction shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(For rule as to effect of inventory and small order provisions on separate operating units of same company see Interpretation 8.)

§ 944.13 *Scope of regulations and orders.* All regulations and orders of the War Production Board (including directions, directives and other instructions) apply to all subsequent transactions even though they are covered by previous contracts. Regulations and orders apply to transactions in the territories or insular possessions of the United States unless the regulation or order specifically states that it is limited to the continental United States or to the 48 states and the District of Columbia. However, restrictions of War Production Board orders or regulations on the use of material or on the amount of inventory shall not apply when the material is used or the inventory is held directly by the Army or Navy outside the 48 states and the District of Columbia, unless otherwise specifically provided.

(For application of WPB regulations and orders to liquidation sales see Interpretation 1d.)

§ 944.13a *Defense against claims for damages.* No persons shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with any rule, regulation or order of the War Production Board, notwithstanding that any such rule, regulation or order shall thereafter be declared by judicial or other competent authority to be invalid.

§ 944.14 *Inventory restriction.* (a) No person shall knowingly make delivery of any material whatever, and no person shall accept delivery thereof if the inventory of such material of the person accepting delivery is, or will by virtue of such acceptance become, in excess of a practicable minimum working inventory reasonably necessary to meet deliveries to be made by the person accepting delivery on the basis of his currently permitted method and rate of operation.

(b) If any order of the War Production Board imposes a specific inventory limit on a particular material or product or for a particular class of persons, that limitation governs and the restrictions of paragraph (a) above may be

disregarded unless the order also states that a practicable minimum working inventory may not be exceeded. The following three exceptions apply to paragraph (a) and to all other inventory restrictions on delivery and acceptance of delivery in WPB orders and regulations unless they contain specific provisions to the contrary:

(1) Order M–161 lists certain materials which are exempt from inventory restrictions;

(2) Paragraph (f) (3) (ii) of Priorities Regulation 13 provides a limited exemption from inventory restrictions in the case of items which are bought on special sales;

(3) A person may import materials without regard to the inventory restriction in paragraph (a), but the restriction does apply to any deliveries he makes and to the amount that any person accepting delivery from him may receive of such imported material.

(c) No person shall process, fabricate, alloy or otherwise alter the shape or form of any material if his inventory of such material in its processed, fabricated, alloyed or otherwise altered shape or form is, or will by virtue of such operation become, in excess of a practicable minimum working inventory thereof. However, this does not restrict a person from altering the form of surplus materials by scrapping or reprocessing them, unless an order of the War Production Board specifically prohibits.

(d) If because of a change in operations, slowing or stoppage of production, delayed delivery by a supplier or any other cause, a person who has ordered material for future delivery would if he accepted delivery on the dates specified exceed the limits prescribed by this regulation, he must promptly adjust his outstanding orders. If a person cancels or cuts back a contract with his supplier, the inventory restriction of paragraph (a) does not prevent his acceptance of delivery of any material which his supplier has shipped or has loaded for shipment before receipt of such instructions and the prescribed limits may be exceeded to the extent that such excess results from such deliveries. Likewise, the inventory restriction of paragraph (a) does not prevent him from receiving any special item which the supplier actually has in stock or in production or special components or special materials which he has acquired for the purpose of filling that contract. A special item, as herein used means one that the producer does not usually make, stock or sell and which cannot be readily disposed of to others.

(e) Appeals from the provisions of this section should be addressed by letter in duplicate to the War Production Board, Washington 25, D. C., Ref: PR–1; § 944.14.

§ 944.14a *Delivery for unlawful purposes prohibited.* No person shall deliver any material which he knows or has reason to believe will be accepted, redelivered, held or used in violation of any order or regulation of the War Production Board.

(For application of this section to seasonal industries see Interpretation 1a, and to minimum sale quantities and production runs see Interpretation 7.)

§ 944.15 *Records.* Each person participating in any transaction to which any rule, regulation or order of the War Production Board applies shall keep and preserve for at least two years accurate and complete records of the details of each such transaction and of his inventories of the material involved. Such records shall include the dates of all contracts or purchase orders accepted, the delivery dates specified in such contracts or purchase orders, and in any preference rating certificates accompanying them, the dates of actual deliveries thereunder, description of the material covered by such contracts or purchase orders, description of deliveries by classes, types, quantities, weights and values, the parties involved in each transaction, the preference ratings, if any, assigned to deliveries under such contracts or purchase orders, details of defense orders (or other orders required by the War Production Board to be filled) either accepted or offered and rejected, and other pertinent information. Records kept by any person pursuant to this section shall be kept either separately from the other records of such person and chronologically according to daily deliveries by such person, or in such form that such a separate chronological record can be promptly compiled therefrom. Whenever a regulation or order requires a person to restrict his operations in proportion to his operations in a base period (for example, an order may forbid him to use more of a certain kind of material than he used in the fourth quarter of 1942) he must determine, as accurately as is reasonably possible, his base period operations and preserve a written record of any figures and work sheets showing how he made his calculations for inspection by War Production Board officials as long as the regulation or order remains in force and for two years after that. Whenever a person is restricted as to the quantity of material he may use in production or the amount he may produce, under quota restrictions, limitation orders, authorized production schedules, special directions or similar provisions, he must keep reasonably adequate records of the material consumed and of production to show whether he is complying with the restrictions. This record-keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Photographic copies of records may be kept. See Interpretation 6.)

§ 944.16 *Audit and inspection.* All records required to be kept by this regulation or by any rule, regulation or order of the War Production Board shall, upon request, be submitted to audit and inspection by its duly authorized representatives.

§ 944.17 *Reports.* Every person shall execute and file with the War Production Board such reports and questionnaires as it shall from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 944.18 *Violations.* Any person who violates any provision of this regulation or any other rule, regulation or order of the War Production Board, or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to the War Production Board, and any person who obtains a delivery, an allocation of material or facilities, or a preference rating by means of a material and wilful, false or misleading statement, may be prohibited by the War Production Board from making or obtaining further deliveries of material or using facilities under priority or allocation control and may be deprived of further priorities assistance. The War Production Board may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U. S. C. Sec. 80), or under the Second War Powers Act (Public No. 507, 77th Congress, March 27, 1942).

§ 944.19 *Appeals for relief in exceptional cases.* Any person who considers that compliance by himself or another with a rule or regulation or order of the War Production Board would work an exceptional and unreasonable hardship on him may appeal for relief. The rules for the filing and handling of appeals are given in Priorities Regulation 16.

§ 944.20 *Notification of customers.* Any person who is prohibited from or restricted in making deliveries of any material by the provisions of any rule, regulation or order of the War Production Board shall, as soon as practicable, notify each of his regular customers of the requirements of such rule, regulation or order, but the failure to give notice shall not excuse any customer from the obligation of complying with any requirements applicable to him.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

INTERPRETATION 1B

TYPES OF EXISTING CONTRACTS WHICH MUST BE DEFERRED

Section 944.2 of Priorities Regulation 1, as amended, makes compulsory the acceptance and filling of rated orders for any material "regardless of existing contracts and orders". The "existing contracts" referred to include not only ordinary purchase contracts but other arrangements achieving substantially the same results, though in form they may concern the use of production facilities rather than the material produced. Preference ratings are applicable to facilities as well as materials.

Examples of such "existing contracts" which must be subordinated to higher rated orders are (1) arrangements whereby a producer, regularly engaged in producing a given product for sale to others, leases a portion of his plant, or the whole of it for a relatively short period, as a going concern to one of his customers and operation is continued under the producer's management and with the producer's regular personnel; and (2) arrangements whereby such a producer, in lieu of buying raw materials and selling the product, accepts raw materials belonging to a customer for processing pursuant to a toll agreement or similar undertaking. If the deliveries to be made to such customer carry a preference rating, the sequence of deliveries as compared with deliveries to other persons placing orders with the producer is to be determined as provided in § 944.7 of Priorities Regulation No. 1. (Issued Mar. 18, 1944.)

INTERPRETATION 1C

SEQUENCE OF DELIVERIES AND PRODUCTION FOR RATED ORDERS

The provisions of § 944.7 (b) of Priorities Regulation No. 1, as amended, with respect to the sequence of deliveries bearing the same preference rating, are applicable only in cases where different deliveries bearing the same preference rating cannot be made on schedule. If material supply and available facilities permit deliveries bearing the same rating to be made on schedule, Regulation No. 1 does not have any particular effect on the sequence of production for such deliveries. Where it is necessary to choose between deliveries bearing the same preference ratings, delivery to the customer from whom the order was first received with the rating is to be preferred and production schedules must be adjusted accordingly. For example, suppose a rated order is received from one customer in January for August delivery and another order bearing the same rating is received from a second customer in June calling for July delivery. If both deliveries cannot be made on schedule, the second customer is not permitted to get the material away from the first customer. The producer must defer production on the second order to the extent necessary to make delivery on the first order on the August delivery date. If, on the other hand, both deliveries can be made on schedule, it is not necessary to produce or make delivery on the first customer's order ahead of that of the second. (Issued Mar. 18, 1944.)

INTERPRETATION 1D

APPLICATION OF ORDERS AND REGULATIONS TO SALES BY AUCTIONEERS, RECEIVERS, TRUSTEES, ETC.

The impression has arisen that orders and regulations of the War Production Board which restrict the sale, transfer or delivery of materials, products or equipment, need not be observed in the case of sales made by auctioneers, receivers, trustees in bankruptcy, and other cases where the assets of a business are being liquidated. This impression is erroneous.

All orders and regulations of the War Production Board which control the sale, transfer or delivery of any material, product or equipment, apply to sales made by any person, whether for his own account or for the account of others, and all restrictions upon accepting delivery apply to acceptance of delivery at any type of sale, except as otherwise provided in Priorities Regulation No. 13 with respect to "special sales" or as otherwise provided in any other applicable regulation or order. Any sale made in violation of any order or regulation or any delivery accepted in violation of any order or regulation, subjects parties to all penalties provided by law, including liability for prosecution under Title III of the Second War Powers Act, which specifies penalties up to $10,000 or imprisonment for one year or both. (Issued Mar. 18, 1944.)

INTERPRETATION 1E

ARMY INCLUDES PANAMA CANAL—NAVY INCLUDES COAST GUARD

(a) Section 944.1 (b) defines "defense order" to mean, among other things, any contract or purchase order for material or equipment to be delivered to or for the accounts of the Army or Navy of the United States, the Panama Canal or the Coast Guard. At the present time the Panama Canal is part of the Army and the Coast Guard is part of the Navy. Some question has arisen as to whether the specific enumeration in Priorities Regulation No. 1 of the Panama Canal and the Coast Guard means that they do not fall within general references to the Army and Navy in other regulations and orders of the War Production Board. In particular, inquiries have been made as to whether exemptive provisions in limitation and conservation orders in favor of the Army and Navy also provide exemptions for the Panama Canal and the Coast Guard when the latter are not specifically mentioned.

An exemptive or other provision applicable to the Army also applies to the Panama Canal, and a provision applicable to the Navy to the Coast Guard, unless the provision expressly states otherwise.

(b) Question has also been raised as to the status of the Office of Strategic Services under § 944.1 (b) and similar general references to the Army and Navy in other regulations and orders of the War Production Board.

The operations of the Office of Strategic Services are under the direction and supervision of the Joint Chiefs of Staff. Therefore, any provision in a regulation or order of the War Production Board which applies to both the Army and the Navy (but not a provision which applies to the Army alone or to the Navy alone) also covers the Office of Strategic Services. (Issued Mar. 18, 1944)

INTERPRETATION 2

REGULARLY ESTABLISHED PRICES AND OPA CEILING PRICES

An order bearing a preference rating may not be rejected on the ground that the price is below the regularly established price, if the purchaser offers the OPA ceiling price.

Section 944.2 of Priorities Regulation 1 makes the acceptance of rated orders mandatory except in the several situations specified in the section. The only exception dealing with price is contained in paragraph (e) (1) which states that a rated order need not be accepted "if the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment".

"Regularly established prices" cannot be higher than OPA ceiling prices. They may, however, be lower. (Issued Mar. 18, 1944.)

INTERPRETATION 4

ACCEPTANCE OF RATED ORDERS FOR USE OF FACILITIES BY CONTROLLED MATERIALS PRODUCERS

Section 944.2 of Priorities Regulation No. 1 provides for the compulsory acceptance of defense and other preference rated orders for the use of facilities, and § 944.7 provides for the sequence of deliveries on such orders. With respect to all such orders placed with a producer of controlled materials, the provisions of these sections are applicable only to the extent that they do not interfere with the acceptance, production, and delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. (Issued Mar. 18, 1944.)

INTERPRETATION 5

EFFECT OF ASSIGNMENT OF A RATED ORDER OR CONTRACT ON SEQUENCE OF DELIVERY

When a rated contract is assigned, the rating remains applicable to the contract as assigned if, but only if, the assignee uses the material covered by the contract for substantially the same purpose for which the rated contract was placed.

*Examples.* (1) The Navy places a rated order with A and A extends the rating to B. Later the Navy and A cancel the contract and the Navy enters into a new contract with C for delivery of the same product at the same time and applies the same rating to it. A assigns to C his contract with B. The rating which A had extended to B remains valid as of the time it was extended by A, and B must honor it in making delivery to C.

(2) A steel mill places an order for a repair part rated AA–1 under CMP Regulation No. 5. The steel mill finds that it does not need the part but another steel mill needs the same and asks the first mill to assign its contract for the part. The second mill could also apply a AA–1 rating to the delivery. However, it prefers to use the first mill's rating so as to come ahead of the orders which have been placed since the first mill placed its order. The second mill may not make this use of the rating, since the rated order was placed for the repair of the first mill's facilities and the purpose of the order has thus been changed.

(3) The War Production Board assigns a rating on a PD–1A certificate to a textile manufacturer to buy some textile machinery. He places an order with a machinery manufacturer and applies the rating to the order. He decides he does not need the machinery but finds another textile producer who does need the machinery and is willing to purchase the same from him. He therefore assigns the contract for the machinery to the second textile producer. The rating does not apply to the delivery to the second producer since it was assigned by the War Production Board only for the purpose of filling a specific need shown by the first textile producer. (Issued July 24, 1943.)

INTERPRETATION 6

MICROFILM RECORDS

Records required to be kept by § 944.15 of Priorities Regulation No. 1 or by any other order or regulation of the War Production Board may be kept in the form of microfilm or other photographic copies instead of the originals. (Issued Aug. 14, 1943.)

INTERPRETATION 8

EFFECT OF INVENTORY AND SMALL ORDER PROVISIONS ON SEPARATE OPERATING UNITS OF THE SAME COMPANY

(a) If an individual plant, branch store, division or other operating unit normally keeps separate inventory from the rest of the corporation or firm, inventory restrictions in WPB orders and regulations apply to it separately. Thus, although another unit may have exceeded an inventory limit, this does not prevent a unit which has not exceeded it from acquiring additional inventory within the limit.

(b) Likewise, if an order of the War Production Board provides an exemption for

small purchases, an operating unit which normally buys separately need not consider purchases made by other units in determining whether it comes within the exemption.

(c) It may happen that the same operating unit will be treated separately for purposes of inventory restrictions but not for purposes of small order exemptions. For example, if a distributor purchases centrally for direct shipment to several outlets which keep separate inventories, the outlets are treated separately for purposes of inventory restrictions but the central purchasing agency must include all its purchases in determining whether a transaction comes within a small order exemption.

(d) This interpretation applies only in cases where a contrary rule is not expressly stated in the applicable War Production Board order or regulation. Also it only applies where the regular business practice of the unit in question is to keep a separate inventory or to buy separately. It does not apply if the regular practice has been changed just for the purpose of coming within this interpretation. (Issued Nov. 22, 1944)

INTERPRETATION 9: Revoked Mar. 18, 1944.

INTERPRETATION 10

EFFECT OF CANCELLATION OF A PURCHASE ORDER ON DIRECTIVE REQUIRING ITS IMMEDIATE PRODUCTION

In many instances, both under the Controlled Materials Plan and otherwise, the War Production Board has issued directives to producers and manufacturers requiring them to produce particular orders ahead of their normal place on the producers' or manufacturers' schedules. Typical of such directives are directives requiring them to produce certain orders by a given date, regardless of the effect of doing so on the production of other orders. If and when the particular orders are cancelled, the directives lose all effect. This is so since the reason for issuing the directives, namely, the urgent need for a particular product, no longer exists when the order for the product has been cancelled. (Issued Sept. 21, 1944.)

INTERPRETATION 11

ACCEPTANCE OF POST-WAR ORDERS

(a) Some orders and regulations of the War Production Board forbid the placing or acceptance of purchase orders for certain materials or products unless the purchase orders bear specified preference ratings, or unless they are accompanied by an allotment symbol or special authorization, or unless they meet some other condition. Such provisions do not, however, prohibit the placing or acceptance of a purchase order which by its express terms, is not to be filled until after removal of such restrictions by the War Production Board.

(b) A manufacturer may not, of course, schedule such orders for production or place material in production to fill such orders until after the applicable WPB restriction is removed. He may order material, but since § 944.14 of Priorities Regulation 1 would prevent his receiving it, the order must call for delivery at a future time when the material can be received. Also, if he is ordering a material which is itself subject to a restriction on placing or accepting of orders, that purchase order must as well be conditioned on the removal of the restriction.

(c) For example, Order L–111 forbids the acceptance of an order for new hand trucks unless the order bears a rating of AA–5 or higher. Nevertheless, an unrated order for hand trucks may be accepted subject to the condition that no steps will be taken to fill it until the restriction on acceptance of unrated orders is removed.

(d) [Deleted Nov. 13, 1944]

(Issued Nov. 13, 1944.)

INTERPRETATION 12

DATE ON WHICH PURCHASE ORDER IS RECEIVED

Section 944.7 (b) provides that between conflicting orders which bear the same preference rating, precedence must be given to the order which was received first with the rating. Some questions have arisen as how to fix the date when the order was "received", due to the fact that occasionally specifications are not sent to the manufacturer with the customer's order. The word "order" as used in § 944.7 (b) means a purchase order accompanied by specifications in sufficient detail to enable the manufacturer to put the product in production. Not until such specifications have been furnished is there an "order". The date on which such specifications are furnished to the manufacturer is the date on which the order is "received". This date, and not the date on which the order without specifications was first received by the manufacturer, controls the position the order takes in the manufacturer's schedule.

For example, where an engine manufacturer on February 1st receives a rated order for fifty engines for July delivery but the customer does not, until March 1st, furnish the specifications as to carburetors, pumps, or other equipment, necessary before the engines can be put into production, March 1st is the date the "order was received" for the purposes of § 944.7 of Priorities Regulation No. 1. (Issued Nov. 8, 1944.)

[F. R. Doc. 45–524; Filed, Jan. 6, 1945; 11:43 a. m.]

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## PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 1A as Amended Jan. 6, 1945]

INVENTORIES IN SEASONAL INDUSTRIES

The following amended interpretation is issued with respect to Priorities Regulation 1:

The question has been raised, in connection with various seasonal industries, whether a company which is engaged in such an industry and which normally stocks up inventory in advance of the season, is forbidden by § 944.14 of the foregoing regulation from doing so.

The prohibition against accepting delivery of inventory "in excess of the practicable minimum working inventory reasonably necessary to meet deliveries of the products of the person accepting delivery, on the basis of his current method and rate of operation," does not prevent the acceptance of delivery by such person of his requirements of the inventory in question provided, (a) that such person is not guilty of hoarding, and (b) that the deliveries accepted are no greater and no further in advance than those which he would normally accept in the ordinary course of his business to meet reasonably anticipated requirements.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45–582; Filed, Jan. 6, 1945; 4:23 p. m.]

## PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 3 as Amended Jan. 6, 1945]

REJECTION OF RATED ORDERS FOR FAILURE TO MEET ESTABLISHED PRICES AND TERMS

The following amended interpretation is issued with respect to Priorities Regulation 1:

(a) Section 944.2 of Priorities Regulation 1 states that every order bearing a preference rating must be accepted and filled with certain exceptions listed in the section. One exception is where a buyer does not "meet regularly established prices and terms of sale or payment". This exception applies to a seller who receives a rated order for quantities which are less than the minimum which he regularly sells. For example, a manufacturer who has been selling only in carload lots may reject a rated order for a less than carload lot.

This exception applies similarly to a person who regularly sells only in multiples of a specified quantity and receives a rated order for a number which is not a multiple of that quantity. For example, a manufacturer who regularly sells his product only in standard shipping packages containing one dozen receives a rated order for 40. He may fill the whole order or he may fill it to the extent of 36 and reject it for 4.

A further problem arises when a manufacturer receives such an order with split ratings. For example, suppose the manufacturer who sells his product only in standard shipping packages of a dozen receives an order for 30 rated AA–4 and 20 rated AA–5. In such a case the general rule is that amounts in excess of a multiple of the standard shipping package ordered at higher ratings may be included with amounts ordered at lower ratings if the manufacturer wishes to adhere to his standard shipping package and not fill the order as received. He may then, in the case supposed, treat the order as one for 24 items rated AA–4 and 24 rated AA–5 and reject it for 2 of the items. Of course, he may fill the order as placed if he prefers to do so; but, if he does not he must fill it as illustrated above.

(b) The exception also applies to the seller who regularly sells only to certain types of trade purchasers, such as whoesalers, jobbers or retailers. He may reject orders from other types of purchasers but only if it is practicable to obtain the merchandise in the required quantity through regular trade channels.

(c) The exception applies to a manufacturer who receives a rated order which, together with orders on hand, totals less than his minimum production run of a product which is mass produced and cannot be filled from inventory. It makes no difference that he has regularly sold in quantities as small as that ordered. For example, suppose a manufacturer's minimum production run is 1,000 units, but he has regularly sold in lots of 10 units. At a time when he has none of the particular product in inventory and no orders on hand, he receives a rated order for 600 units. He may reject the order. If, however, he has on hand a previously accepted order for 400 units, he would be required to accept the order for 600 units.

NOTE: Paragraph (d) formerly (c) redesignated Jan. 6, 1945.

(d) It should be noted that paragraph (e) of § 944.2 in which the above exception appears includes the requirement that "there

must be no discrimination in such case against rated orders, or between rated orders of different customers." This means, for example, that a seller who sells principally at wholesale but also at retail to one or more customers may not reject rated retail orders from other customers. However, if a manufacturer or wholesaler has an exclusive distributor, either for all sales or for a particular territory, he may reject orders from other purchasers provided the exclusive distributor is in a position to fill the orders promptly.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45-584; Filed, Jan. 6, 1945; 4:24 p. m.]

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## PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 7, as Amended Jan. 6, 1945]

### MINIMUM SALE QUANTITIES AND PRODUCTION RUNS

The following amended interpretation is issued with respect to Priorities Regulation 1:

(a) *Applicable provisions of the regulations.* Section 944.14 of Priorities Regulation No. 1 forbids the making or acceptance of a delivery which will give the customer more than the "practicable minimum working inventory reasonably necessary" for him to make his own deliveries. A similar provision in paragraph (b) (2) of Priorities Regulation No. 3 says that a customer who is applying a rating for which no specific quantities have been authorized may use it only to get the "minimum required amounts".

(b) *Factors to be considered in determining how much can be ordered and delivered.* In determining a customer's minimum inventory "reasonably necessary" under Priorities Regulation No. 1 or his "minimum required amounts" under Priorities Regulation No. 3, it is proper in some cases to consider not only the immediate needs of the customer's plant but also whether the amount which he orders will be a minimum production run for his supplier. The customer may order and receive (and the supplier may deliver) the customer's requirements for a longer period in advance than he actually needs at the time of delivery if, but only if, it is not practicable for him to get the item from any supplier in the smaller quantities which he presently needs. The supplier may reject his customer's order if it is less than the minimum which he regularly sells or less than his minimum production run of a product which is mass produced under the conditions explained in Interpretation 3 of Priorities Regulation 1.

(c) *Relief in exceptional cases.* If the conditions stated in paragraph (b) above cannot be satisfied but the customer wants to order or accept delivery of more than his actual needs at the time of delivery, he should apply to the War Production Board for permission, stating the facts and why it is not practicable to satisfy the condition of paragraph (b).

(d) *Special provisions for controlled materials and Class A products.* This interpretation does not apply to deliveries of controlled materials under the Controlled Materials Plan. Rules regarding deliveries of controlled materials are given in CMP Regulation No. 2, and additional rules for Class A products are explained in Interpretation 9 to CMP Regulation No. 1.

(e) *Specific limits on ratings may not be exceeded.* This interpretation does not apply to the use of a rating where a specific quantity is stated in the instrument assigning the rating. If a person is assigned a rating for a specific amount of material, he may not use it to get more. If he finds that he can only get the material in larger quantities, he should apply for a modification of the rating.

(f) *No effect on contractual rights.* The times and amounts in which deliveries are to be made are to be determined by agreement between the supplier and the customer. Nothing in this interpretation relieves a supplier from fulfilling a contract to make deliveries at specified times in specified amounts. For example, if a customer has agreed to buy and a supplier has agreed to furnish 100 units a month for six months, this interpretation does not obligate the buyer to accept 600 units delivered during the first month, although it permits him to do so under the conditions described in paragraph (b).

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45-583; Filed, Jan. 6, 1945; 4:24 p. m.]

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## PART 1085—PLANTS CANNING OR PROCESSING FRUITS, VEGETABLES OR FISH

[Preference Rating Order P-115, Revocation]

Section 1085.1 *Preference Rating Order P-115* is hereby revoked. This revocation does not affect any penalties incurred under the order.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45-515; Filed, Jan. 6, 1945; 11:41 a. m.]

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## PART 1108—PLANTS PROCESSING DAIRY PRODUCTS OR EGGS

[Preference Rating Order P-118, Revocation]

Section 1108.1 *Preference Rating Order P-118* is hereby revoked. This revocation does not affect any penalties incurred under the order.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45-516; Filed, Jan. 6, 1945; 11:41 a. m.]

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## PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-292, as Amended Jan. 6, 1945]

### FOOD PROCESSING MACHINERY

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of materials used in the production of food processing machinery, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.77 *General Limitation Order L-292*—(a) *Definitions.* For the purpose of this order:

(1) [Revoked Jan. 6, 1945.]

(2) "Food processing machinery" means new machinery and equipment, of the kinds specified in Schedule A with a retail sales value of $50 or more for each machine or piece of equipment excluding (i) refrigerating machinery and equipment as covered by Limitation Order L-38, (ii) machinery and equipment used on a farm for production of food or tobacco, or on a fishing vessel for handling food, prior to delivery to a processor, (iii) scales and balances as defined in Limitation Order L-190, (iv) conveying machinery as defined in Limitation Order L-193, (v) machinery and equipment used for packaging, filling or labelling containers, except as otherwise indicated in Schedule A, (vi) oil processing machinery and equipment used in processing animal, fish and vegetable fats, oils and greases, and (vii) water filters as water-treating equipment.

(3) "Manufacturer" means any person engaged in the making or assembling of food processing machinery; and includes his subsidiaries and affiliates in the same business.

(4) [Revoked Jan. 6, 1945.]

(5) [Revoked Jan. 6, 1945.]

(b) *Rated orders not required.* This order now permits deliveries of food processing machinery and equipment to fill unrated orders. If a rating is needed, the purchaser should file Form WPB-541, or Form FEA-419 for export other than to Canada (when appropriate), or Form WPB-617 when permission under Order L-41 is needed.

(c) *Instructions for obtaining an approved order other than pursuant to a CMP Regulation.* (1) [Revoked Jan. 6, 1945.]

(2) [Revoked Jan. 6, 1945.]

(3) [Revoked Jan. 6, 1945.]

(d) [Revoked Oct. 3, 1944.]

(e) *Conservation of critical materials.* No person shall use stainless steel or tin, copper or copper base alloys, secondary copper-nickel alloys (white metal) made from scrap or remelt, nickel or chromium, in the manufacture or assembly of any food processing machinery except in contact parts or corrosion points. (As used herein "contact parts" means those parts which come in direct contact with any food products. "Corrosion points" mean those parts or fittings, stationary or movable, which are exposed to corrosive action from food products, water or brine and which, if corroded, will interfere with the normal operation of the machinery or equipment.) These restrictions on the use of materials shall not apply to repair parts for food processing machinery produced

before June 30, 1943, if parts made of other material would not be interchangeable with the parts to be repaired or replaced. This paragraph also does not restrict the use of copper and copper-base alloys in electrical conductors, bearings, valves, instruments, motors, worm driven gears, and cappers.

(f) *Production quotas.* The War Production Board may at any time issue schedules as amendments to this order, fixing production quotas for certain types of food processing machinery. From the effective date of any such schedule no manufacturer may carry on production except as permitted by the schedule or schedules applicable to the food processing machinery made or assembled by him.

(g) *Miscellaneous provisions*—(1) *Reports.* On or before the 15th day of each calendar month, each manufacturer shall file a report on Form WPB–2721. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) [Deleted Aug. 31, 1944.]

(5) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L–292.

(h) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to make or assemble more food processing machinery or equipment than the quotas fixed under paragraph (f) of this order and schedules issued in accordance with that paragraph (including a person who has no quota under this order or the applicable schedule), may apply for permission to do so as explained in Priorities Regulation 25. Any quota restrictions in the applicable schedules based upon the necessity of having rated orders on hand do not apply to production authorized under that regulation.

(2) *Appeals.* Any appeal from the provisions of this order other than the quota restrictions of paragraph (f) and the schedules issued under paragraph (f), should be made by filing a letter in triplicate with the field office of the War Production Board for the district in which is located the plant to which the appeal relates. No appeal should be filed from the quota restrictions of paragraph (f) or the schedules issued under paragraph (f).

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

SCHEDULE A

Machinery and equipment included in definition of "Food Processing Machinery" under paragraph (a) (2).

1. Baking and macaroni processing machinery and equipment. This term includes all preparation and processing machinery and equipment, and slicing and wrapping machinery used in commercial bakeries.

2. Brewing and winery machinery and equipment, including bottling, bottle capping and bottle labeling machinery and equipment but excluding refrigeration machinery and equipment.

3. Canning machinery and equipment. This term includes all preparation machinery and equipment, filling, labeling and casing machinery, and change parts for different can or container sizes, used in the canning, freezing, and fresh packing of fruits, vegetables, fishery products, (including fishery by-products) and all other human or animal food. It also includes preparation machinery and equipment used for dehydrating such foods. It does not include (i) preparation equipment for meat and meat products (ii) home canning and home dehydrating equipment (iii) container sealing and closing and jar capping machines (iv) refrigerating equipment and (v) steam jacketed kettles regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 90 pounds per square inch, as governed by Limitation Order L–182. (Machinery for filling, labeling, and casing dehydrated foods, formerly covered by former Order L–332, is not subject to Order L–292.)

4. Coconut shredding and processing equipment.

5. Coffee, tea, cocoa, and spice grinding and processing equipment, 1 H. P. and larger.

6. Confectionery machinery and equipment.

7. Dairy, egg and poultry processing machinery and equipment used in the commercial processing of milk and milk products, eggs and poultry, including bottling, bottle capping and bottle labeling machinery and equipment and wrapping machinery but excluding (i) machinery or equipment used on a farm for the production and handling of milk, eggs or poultry prior to delivery to a processor and (ii) machinery or equipment covered by the provisions of Limitation Order L–257.

8. Flour, grain, feed milling and processing machinery and equipment and seed cleaning equipment.

9. [Deleted Nov. 22, 1943]

10. [Deleted Mar. 11, 1944]

11. Meat canning, meat packing and meat processing machinery and equipment. This term includes power-driven disc and blade saws (of fractional horsepower or more), band saws (1 horsepower or more), slicers (1 horsepower or more, and grinders (1 horsepower or more), and all other machinery and equipment used in the preparation and processing of meat products, filling, labeling and casing machinery, except (i) home canning equipment, (ii) container sealing and closing and jar capping machines, and (iii) refrigeration equipment.

12. Non-alcoholic beverage manufacturing machinery and equipment including bottling, bottle capping and bottle labeling machinery and equipment but excluding refrigeration machinery and equipment.

13. Sugar processing machinery and equipment.

14. Tobacco processing machinery and equipment, including wrapping machinery.

15. [Deleted Mar. 11, 1944]

SCHEDULE B

[Deleted Oct. 3, 1944]

SCHEDULE C

[Deleted Mar. 11, 1944]

SCHEDULE D

[Deleted Mar. 11, 1944]

INTERPRETATION 2

FOOD PROCESSING MACHINERY

In accordance with paragraph (f) of General Limitation Order L–292, as amended, certain quota schedules have been established limiting the amount of controlled materials which may be used in manufacturing certain classes of food processing machinery during a specified quota period. The quota is a percentage of the average annual amount of such material consumed during a specified base period. The percentage applies to each controlled material (steel, copper or aluminum) separately. No part of the percentage of one controlled material shall be added to the total percentage of another. However, the permitted percentage of a particular controlled material may be divided in any way between the several categories of such material. For example, where a manufacturer is permitted to consume during the quota period 110% of the average annual amount of steel and copper he consumed during the base period, he is not permitted to apply part or all of his steel quota to his copper quota and thereby exceed his copper quota of 110%. However, he may consume during the quota period such amount of carbon steel and such amount of alloy steel as he chooses provided the aggregate does not exceed 110% of the average annual amount of steel consumed during the base period. This rule is subject to the restriction of any order of the War Production Board against the use of a higher grade or larger quantity of material than is necessary (for example, see paragraph (c) (1) of Order M–9–c, dealing with copper). (Issued April 3, 1944.)

INTERPRETATION 3

TRANSITION FROM ONE YEARLY QUOTA SCHEDULE TO THE NEXT

Production quotas for various items of food processing machinery, based upon each manufacturer's base period use of controlled materials, are established by Quota Schedules I, II, III, VI, VII and VIII for the year ending September 30, 1944, and by Schedules I–A, II–A, III–A, VI–A, VII–A, and VIII–A for the year beginning October 1, 1944 and ending September 30, 1945.

Each manufacturer producing items (new machines or parts for new machines) subject to any of these quota schedules for the year ending September 30, 1944, and continuing in production under the corresponding quota schedule for the next year must ascertain how much of the controlled materials on hand, in process or completed on September 30, 1944 are to be charged against his quota under the applicable schedule for the year ending on that date, and how much of such materials must be charged against his quota under the schedule applicable to the year commencing October 1, 1944, in order

to determine how much additional production he is permitted during the remainder of the latter year under the schedule which applies to it.

For the purposes of the schedules mentioned, controlled materials are to be considered as having been "used" during the year ending September 30, 1944 only if they have been actually put into process or actually installed or assembled. Being put into process does not include minor initial operations, such as painting, and does not include any shearing, cutting, trimming, or other operation unless such initial operations are part of a continuous fabricating or assembling operation. Neither does it include operations such as inspection, testing and ageing, nor segregating or ear-marking for a specific job or operation.

For example, if a manufacturer who uses wire or rod cuts a sufficient quantity of it to length at one time to maintain his operations for a considerable period of time, the cut pieces remain as inventory until processed into another form or until assembled or installed; and such cut pieces on hand at the end of the year may not be considered as having been "used" during that year, and if they are used during the following year they are to be charged against the quota for the following year.

Similarly, if a manufacturer shears steel sheet and stocks it in sheared form, such stock does not thereby become "used", unless such shearing is a part of a continuous fabricating or assembling operation which is already being carried on at the end of the year.

Material which is still to be treated as in inventory, in accordance with interpretation 1 to CMP Regulation 2, at the end of the year, cannot be treated as having been "used" during that year. (Issued Sept. 26, 1944.)

[F. R. Doc. 45-514; Filed, Jan. 6, 1945; 11:41 a. m.]

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## PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-292, Interpretation 1 as Amended Jan. 6, 1945]

### FOOD PROCESSING MACHINERY

The following amended interpretation is issued with respect to General Limitation Order L-292:

Before the amendment of Order L-292 on January 6, 1945, applications for preference ratings to get food processing machinery were required to be made by filing certain specified forms (WPB-617, 576, 748, etc.). As amended on that date, the order permits deliveries of food processing machinery on unrated orders, and application for a preference rating may be made for certain purposes on Form WPB-541, FEA-419, or WPB-617. These forms in some cases call for the name and address of the supplier.

In these cases the information intended is the name and address of the probable supplier. Provided the model actually obtained is substantially identical in value, quality, size, operation and function with that named in the application form, the preference rating may be used to get the product from any manufacturer, dealer or processor who has the product on hand or is authorized to manufacture or acquire it. For example, a rating assigned to purchase a 1" centrifugal sanitary pump may ordinarily be used to purchase that size pump from any manufacturer if the value is substantially the same as that of the pump described in the application. On the other hand, a rating assigned for a 6-can-per-minute dairy can washer costing $1000 may not be used to get a 6-can-per-minute can washer costing $2500. Similarly, a rating for a copper-lined cheese vat may not be used to get a stainless steel cheese vat.

Approval of the form does not operate to authorize the supplier, whether or not named, to manufacture or acquire the product if that is otherwise prohibited.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45-581; Filed, Jan. 6, 1945; 4:23 p. m.]

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## PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Quota Schedule I-A as Amended Jan. 6, 1945]

### PRODUCTION QUOTAS FOR DAIRY MACHINERY AND EQUIPMENT

§ 1226.200 *Production quotas for dairy machinery and equipment*—(a) *The purpose of this schedule.* The purpose of this schedule is to fix the production quotas for dairy machinery and equipment, for the year beginning October 1, 1944 and ending September 30, 1945, inclusive. The quotas described in this schedule shall take the place of the quota provisions of paragraph (f) of Order L-292 with respect to those items.

(b) *Definitions.* (1) "Base period use" means the annual average tonnage of controlled materials used to complete items of dairy machinery and equipment during the years 1939, 1940 and 1941.

(2) "Controlled material" means controlled material as defined in CMP Regulation 1.

(c) *Production quotas.* During the year beginning October 1, 1944 and ending September 30, 1945, no manufacturer shall use more controlled materials to fabricate or assemble dairy machinery and equipment in any class than the quota percentage of his base period use for each class of machinery and equipment as set forth in the table below.

#### PRODUCTION QUOTAS

The first column describes each class of machinery covered by this schedule.

The second column describes the various types of machinery and equipment included in each class of machinery.

The third column assigns a code number to each type of machinery and equipment.

The fourth column shows the quota percentage that each manufacturer is allowed. Where an asterisk appears instead of a quota percentage, a manufacturer may build the item opposite the asterisk only upon receipt of an order rated AA-5 or higher. But a manufacturer of such an item may build a minimum production run of the item upon written authorization from the War Production Board. Request for authorization may be made by filing a letter in triplicate with the War Production Board showing the quantity in a minimum production run of the item and containing substantial evidence that the manufacturer will obtain orders rated AA-5 or higher in that quantity by October 1, 1945. The War Production Board may grant the authorization upon such conditions, if any, as it may prescribe.

| Class of machinery | Type of machine | Machine code No. | Quota percentage |
|---|---|---|---|
| Separators, clarifiers and pumps | | | 165 |
| | Clarifiers | 203.015 A-C. | |
| | Pumps | 203.039 A-E. | |
| | Separators | 203.041 A-G. | |
| Ice cream equipment | | | 50 |
| | Flavor tanks for ice cream mix | 203.021. | |
| | Freezers, ice cream | 203.023 A-D. | |
| | Fruit feeders, ice cream | 203.024. | |
| | Ice crushers | 203.033. | |
| Dehydration equipment | | | 200 |
| | Dehydrators, spray type. | 203.018 A. | |
| | Dehydrators, roll type. | 203.018 B-D. | |
| | Hot wells | 203.027. | |
| | Vacuum pans | 203.049. | |
| Butter, cheese and fluid milk plant equipment: | | | |
| Group A | | | [1]110 |
| | Agitators, cheese vat. | 203.001. | |
| | Babcock testers | 203.002 A-D. | |
| | Butter cutters, hand or power driven | 203.004-005. | |
| | Butter wrappers | 203.006. | |
| | Cappers for dairy products (not installed on filler) single head | 203.008 A. | |
| | Cheese grinders or curd mills | 203.010. | |
| | Cheese hoops | 203.011 A-F. | |
| | Cheese pasteurizers, tubular | 203.012 A. | |
| | Cheese pasteurizers, plate | 203.012 B-E. | |
| | Cheese presses | 203.013 A-C. | |
| | Cheese vats | 203.014 A-E. | |
| | Internal tube and surface type coolers | 203.016 A-F. | |
| | Cabinet surface type | 203.116 A-D. | |
| | Plate type | 203.116 E-H. | |
| | Churns | 203.017 A-D. | |
| | Fillers | 203.019 A-I. | |
| | Filters for milk and eggs | 203.020 | |
| | Forewarmers, coil | 203.022 | |
| | Fittings, sanitary | 203.025 | |
| | Homogenizers | 203.026 A-E. | |
| | Ice cream brick cutters. | 203.031. | |
| | Paraffining equipment. | 203.036 A-B. | |
| | Pasteurizers, coil | 203.037 A-D. | |
| | Pasteurizers, plate | 203.037 E-H. | |
| | Storage tanks uninsulated. | 203.044 F-H. | |
| | Washers, hand milk bottle. | 203.046 A. | |
| | Washers, 1, 2 and 3 compartment sinks. | 203.046 B. | |
| | Washers, san. pipe wash outfit with tank. | 203.046 C. | |
| | Washers, separator parts wash outfit with tank. | 203.046 D. | |
| | Washers, milk bottle (in the case type) or (hydraulic). | 203.047 A, B. | |
| | Washers, soaker type. | 203.047 C-G. | |
| | Weigh cans and weighing units. | 203.048 A-E. | |
| | Pasteurizers, vat and starter can. | 203.137 A-G. | |
| | Washers, sterilizer, milk can, pedestal type. | 203.147 A. | |
| | Washers, rotary and straightaway. | 203.147 B-F. | |
| | All others. | | |

See footnote at end of table.

PRODUCTION QUOTAS—Continued

| Class of machinery | Type of machine | Machine code No. | Quota percentage |
|---|---|---|---|
| Group B | | | [1]200 |
| | Storage tanks | 203.044 A-E. | |
| | Refrigerated storage tanks. | 203.144 A-E. | |
| Special items. | | | (*) |
| | Batch measures and weighers. | 203.003. | |
| | Hooders for milk bottles. | 203.008. | |
| | Case washers (milk bottles). | 203.009. | |
| | Ice cream cup fillers. | 203.028. | |
| | Ice cream package fillers. | 203.029. | |
| | Ice cream coating and dipping machines. | 203.030. | |
| | Ice cream novelty machines. | 203.032. | |
| | Milk irradiators | 203.034. | |
| | Paper bottle filling machines. | 203.035. | |
| | Pulverizers for powdered milk. | 203.038. | |
| | Samplers, vacuum milk. | 203.040. | |
| | Soft curd machines | 203.042. | |

[1] The quota for all butter, cheese and fluid milk plant equipment is 110% of the controlled materials used for the Group A items in the base period plus 200% of the controlled materials used for the Group B items in the base period. For example, if a manufacturer used 1,000 tons for the Group A items and 100 tons for the Group B items his quota for all butter, cheese and fluid milk plant equipment would be 1,300 tons. This quota may be used for any product in either group or divided amongst the products in both groups in any way that the manufacturer wishes.

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of dairy machinery or equipment to fill specific orders actually received by a manufacturer for export outside the United States and Canada, or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration, or Veterans' Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may, by specific written directions issued to any manufacturer or class of manufacturers, increase or decrease any quota established by this schedule and may transfer any portions of a quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L–292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L–292 as amended from time to time.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45–521; Filed, Jan. 6, 1945; 11:42 a. m.]

## PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L–292, Quota Schedule III–A, as Amended Jan. 6, 1945]

### PRODUCTION QUOTAS FOR CANNING MACHINERY AND EQUIPMENT

§ 1226.202 *Production quotas for canning machinery and equipment*—(a) *Purpose of the schedule.* The purpose of this schedule is to fix production quotas for canning machinery and equipment for the year beginning October 1, 1944, and ending September 30, 1945. These quotas shall take the place of the quota provisions of paragraph (f) of Order L–292 with respect to canning machinery and equipment.

(b) *Definition.* "Controlled material" means controlled material as defined in CMP Regulation 1.

(c) *General restrictions until individual production quotas are fixed.* During the twelve months period beginning October 1, 1944, or until he is issued an individual production quota under paragraph (e–1) below, no manufacturer shall use in the fabrication or assembly of canning machinery and equipment (except dehydrators), more controlled materials than 110% of the annual average gross tonnage of controlled materials used by him for this purpose during the calendar years 1939, 1940 and 1941. Each manufacturer may fabricate or assemble dehydrators only to fill rated orders actually received.

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of canning machinery or equipment to fill specific orders actually received by a manufacturer for export outside the territorial limits of the United States and Canada, or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may by specific written directions issued to any manufacturer or class of manufacturers, increase or decrease any quota established by this schedule and may transfer any portions of a quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(e–1) *Individual production quotas.* No person shall fabricate or assemble any canning machinery and equipment except those quantities which he has been specifically authorized to produce under authorized production schedules, in units or dollars, issued him pursuant to CMP Regulation 1. Authorized production schedules will be issued as soon as practicable. The general policy of the War Production Board will be not to authorize total production by all manufacturers in a quantity which exceeds the aggregate production permitted during the fourth calendar quarter of 1944. Until such time as the War Production Board has issued an authorized production schedule to a particular person, however, he is permitted to carry on production to the extent permitted in paragraphs (c), (d), and (e) above.

(f) *Applicability of Limitation Order L–292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L–292 as amended from time to time.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45–522; Filed, Jan. 6, 1945; 11:43 a. m.]

## PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L–292, Schedule IV–A, as Amended Jan. 6, 1945]

### PRODUCTION RESTRICTIONS IN LIEU OF QUOTAS FOR EGG AND POULTRY PROCESSING MACHINERY AND EQUIPMENT

§ 1226.203 *Restrictions on production of egg and poultry processing machinery and equipment*—(a) *Purpose of this schedule.* The purpose of this schedule is to tell each manufacturer how many units of egg and poultry processing machinery and equipment he may manufacture from October 1, 1944, to September 30, 1945. The provisions of this schedule take the place of the quota provisions of paragraph (f) of Order L–292 for egg and poultry processing machinery and equipment.

(b) *Number of units which can be manufactured, until individual production quotas are fixed.* (1) During the twelve months period beginning October 1, 1944, or until he is issued an individual production quota under paragraph (b–1) below, each manufacturer may fabricate or assemble any items of egg or poultry processing machinery or equipment necessary to fill orders rated AA–5 or higher. In addition, each manufacturer may manufacture up to a maximum inventory of certain items of machinery and equipment as shown in the table below. A manufacturer must not fabricate or assemble more machinery and equipment for inventory than this table permits.

(b–1) *Individual production quotas.* No person shall fabricate or assemble any egg and poultry processing machinery and equipment except those quantities which he has been specifically authorized to produce under authorized production schedules, in units or dollars,

issued him pursuant to CMP Regulation 1. Authorized production schedules will be issued as soon as practicable. The general policy of the War Production Board will be not to authorize total production by all manufacturers in a quantity which exceeds the aggregate production permitted during the fourth calendar quarter of 1944. Until such time as the War Production Board has issued an authorized production schedule to a particular person, however, he is permitted to carry on production to the extent permitted under paragraph (b) above.

*Permitted Inventories*

The first column assigns a code number to each type of egg and poultry processing machinery and equipment.

The second column describes the types of egg and poultry processing machinery and equipment covered by this schedule.

The third column shows the number of units (or dollar value) which a manufacturer may have in inventory. For example, for Code No. 203.056B, Candlers, flash, the permitted inventory is 0. This means that flash candlers cannot be manufactured for inventory; they may only be manufactured to fill orders actually received which are rated in accordance with Order L–292. On the other hand, for Code No. 203.058, Churns, egg, the permitted inventory is 3. This means that a manufacturer may have a maximum inventory of 3 units of this equipment in addition to the units necessary to fill orders actually received which are rated in accordance with Order L–292.

EGG PROCESSING MACHINERY AND EQUIPMENT

| Code No. | Type of equipment | Number of units or dollar value permitted in inventory |
|---|---|---|
| 203.056B | Candlers, flash | 0 |
| 203.057 | Candling Bench, egg | 0 |
| 203.058 | Churns, egg | 3 |
| 203.059A | Cleaning equipment: shell egg, washer | 6 |
| 203.059B | Cleaning equipment: shell egg, sand blast | 0 |
| 203.059C | Cleaning equipment: shell egg, other | 0 |
| 203.060 | Cooling equipment: egg powder | 3 |
| 203.061 | Crushers, egg, frozen, sanitary | 6 |
| 203.063 | Dump vat, liquid egg | 3 |
| 203.064B | Graders: egg, power type | 0 |
| 203.065A | Hashers: egg, chopper type | 1 |
| 203.065B | Hashers: egg, mill type | 0 |
| 203.069 | Powder release valve for dehydrators | 0 |
| 203.070 | Processing machine, egg | 6 |
| 203.073 | Sifters, for dried egg powder | 0 |
| 203.075A | Strainers: liquid egg, gravity | 5 |
| 203.075B | Strainers: liquid egg, pressure | 1 |
| 203.076 | Suckers, egg | 0 |
| 203.077A | Tables: egg breaking 4-operator, plain | 10 |
| 203.077B | Tables: egg breaking multiple operator, conveyor type | 1 |
| 203.080A | Washing and sterilizing equipment for egg breaking equipment, 3 compartment sink | 3 |
| 203.080B | Washing and sterilizing equipment for egg breaking equipment: sterilizing cabinet | 3 |
| 203.080C | Washing and sterilizing equipment for egg breaking equipment: drying cabinet | 3 |
| | All other egg processing machinery and equipment not listed above | [1] $300 |

[1] Total value.

POULTRY PROCESSING MACHINERY AND EQUIPMENT

| Code No. | Type of equipment | Number of units or dollar value permitted in inventory |
|---|---|---|
| 204.001A | Bird washers on the line | 3 |
| 204.001B | Bird washers, manual operated | 3 |
| 204.005A | Cutting and wrapping table: single conveyor belt type | 1 |
| 204.005B | Cutting and wrapping table: return belt type, double level | 1 |
| 204.006 | Drain troughs, stationary | 8 |
| 204.007A | Eviscerating and inspection table: rotary type | 0 |
| 204.007B | Eviscerating and inspection table: straight single table type | 0 |
| 204.007C | Eviscerating and inspection table: double table type | 0 |
| 204.008 | Feather driers | 5 |
| 204.009 | Feather wringers | 5 |
| 204.013 | Giblet wrapping table | 1 |
| 204.014 | Gizzard washing table and sink | 1 |
| 204.015B | Holding trucks: live poultry, 16 compartment | 50 |
| 204.016A | Picking machines: hand fed, 24" and less overall drum width | 10 |
| 204.016B | Picking machines: hand fed, 25" to 38", inclusive overall drum width | 5 |
| 204.016C | Picking machines: hand fed, 39" and up | 1 |
| 204.016D | Picking machines: chicken, automatic and semiautomatic | 1 |
| 204.016E | Picking machines: turkey, automatic and semiautomatic | 1 |
| 204.017A | Scalding machine: chicken | 3 |
| 204.017B | Scalding machine: turkey | 1 |
| 204.017C | Scalding tanks: poultry | 10 |
| 204.019 | Tanks, cooling and defrosting, poultry | 3 |
| 204.020 | Viscera carts | 3 |
| 204.021A | Wax defeathering equipment: hand type | 0 |
| 204.021B | Wax defeathering equipment: conveyor type | 0 |
| 204.022 | Wet feed mixers | 1 |
| | All other poultry processing machinery and equipment not listed above | [1] $500 |

[1] Total value.

(c) *Applicability of Limitation Order L–292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L–292 as amended from time to time.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45–523; Filed, Jan. 6, 1945; 11:43 a. m.]

## PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L–292, Quota Schedule V–A, as amended June 6, 1945]

### PRODUCTION RESTRICTIONS IN LIEU OF QUOTAS FOR SUGAR PROCESSING MACHINERY AND EQUIPMENT

§ 1226.204 *Restriction on production of sugar processing machinery and equipment*—(a) *Purpose of this schedule.* The purpose of this schedule is to permit the manufacture of a limited quantity of sugar processing machinery and equipment during the period from October 1, 1944 to September 30, 1945. Paragraph (f) of Order L–292 provides for the fixing of production quotas for food processing machinery by the War Production Board. The provisions of this schedule take the place of the quota provisions in paragraph (f) of Order L–292 with respect to sugar processing machinery and equipment.

(b) *Number of units which may be manufactured, until individual production quotas are fixed.* During the twelve months period beginning October 1, 1944, or until he is issued an individual production quota under paragraph (b–1) below, each manufacturer may fabricate or assemble any sugar processing machinery or equipment necessary to fill orders actually received by him if the orders are rated AA–5 or higher. In addition, each manufacturer may fabricate or assemble the number of units of centrifugals and sugar sprayers necessary to maintain a maximum inventory of two units of centrifugals and three units of sugar sprayers. A manufacturer must not fabricate or assemble any sugar processing machinery or equipment other than centrifugals and sprayers for inventory.

(b–1) *Individual production quotas.* No person shall fabricate or assemble any sugar processing machinery and equipment except those quantities which he has been specifically authorized to produce under authorized production schedules, in units or dollars, issued him pursuant to CMP Regulation 1. Authorized production schedules will be issued as soon as practicable. The general policy of the War Production Board will be not to authorize total production by all manufacturers in a quantity which exceeds the aggregate production permitted during the fourth calendar quarter of 1944. Until such time as the War Production Board has issued an authorized production schedule to a particular person, however, he is permitted to carry on production to the extent permitted under paragraph (b) above.

(c) *Applicability of Limitation Order L–292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L–292 as amended from time to time.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

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## PART 3281—PULP AND PAPER

[Limitation Order L–279, as Amended Jan. 6, 1945]

### PAPER SHIPPING SACKS

§ 3281.91 *Limitation Order L–279*—(a) *Definitions.* For the purposes of this order:

(1) "Paper shipping sack" means any new single-wall, duplex, or multi-wall paper sack designed for use as (i) a primary container for packing a particular commodity for storage or shipment, (ii) a container shipping sack for combining a number of packages of a particular commodity into a single shipping unit, or (iii) an overslip shipping sack for covering a single package of a particular com-

modity for shipment. This does not include the following: sacks designed as liners for outer containers, combination textile-paper bags (bags made of textile laminated with paper), grocers and variety bags (as defined in Order L–261), bags made wholly from cellophane, glassine, parchment, or waxed paper, or flat envelope types of containers made on envelope machines (such as lithographic seed envelopes).

(2) "Single-wall sack", "duplex sack", and "multi-wall sack" mean, respectively paper shipping sacks made with one wall, with two walls, and with more than two walls.

(3) "Sack manufacturer" means any person engaged in the business of manufacturing paper shipping sacks for sale or for his own use in packing any commodity produced or processed by him.

(4) "Commercial user" means any person who uses paper shipping sacks for packing any commodity produced or processed by him.

*Restrictions*

(b) *Restrictions on manufacture and use*—(1) *Restrictions on use of pulp and on deliveries of shipping sack papers.* All pulp allocated on Form WPB–2973, Sub-Schedule D–2 Items #054100 and #054900 must be used only for the manufacture of shipping sack paper. No paper manufacturer shall deliver shipping sack paper if he knows or has reason to know that it will be used other than in the manufacture of paper shipping sacks. No sack manufacturer or commercial user may receive or use shipping sack paper for any purpose other than to manufacture paper shipping sacks.

(2) *Restrictions on paper manufacture.* No sack manufacturer shall manufacture any paper shipping sack made of shipping sack paper which does not conform to all applicable restrictions of each schedule of this order.

(3) *Restrictions on use.* No commercial user may use a paper shipping sack made of shipping sack paper for any other purpose than those listed on Appendix A. In addition, no commercial user may use more paper shipping sacks per annum, made of shipping sack paper, to package fish meal, fish scrap, tankage, or meat scrap than he used for those purposes in 1944. The provisions of this paragraph shall not apply to paper shipping sacks used for delivery to the Army, Navy, Maritime Commission or War Shipping Administration, nor to the Foreign Economic Administration for empty shipping sacks when shipped to or for the Armed Forces of the United States.

(c) *Restrictions on users' inventories.* No commercial user shall, at any time, accept delivery of paper shipping sacks which will increase his supply to more than the larger of the following amounts (this restriction applies to all paper shipping sacks, whether or not of the sizes and styles or for the commodities specifically mentioned in any schedule of this order):

(1) A total of 1½ carloads of all sizes and styles for all commodities (exclusive of sacks then in transit to him); or

(2) Reasonably anticipated requirements of each size and style for any particular non-seasonal commodity during the next 60 days after the delivery of the sacks or any particular seasonal commodity during the next 120 days after the delivery of the sacks (with a ½-car leeway in either case, where necessary to round out a full car).

(d) *Inventories of multiple-unit organizations.* Any commercial user who maintains an inventory of paper shipping sacks at more than one location may, at his option, apply the inventory restrictions of paragraph (c) above either to the inventory of each such location separately or to the collective inventory of all such locations.

*Wet Strength Paper Markings*

(e) *Wet strength paper markings after December 1, 1943.* All wet strength paper used in the manufacture of single-wall, duplex and multi-wall paper shipping sacks must be distinctly colored, stained, printed or marked for identification purposes with longitudinal stripes, spaced not less than 2" nor more than 10" centers across the paper width and each stripe is to be not less than ⅛" in width. No other grade of paper used in such shipping sacks is to be striped as above. When wet strength paper is used as the outer ply of the shipping sacks, the identification must appear on the external surface. The provisions of this paragraph shall not apply to stocks on hand on October 27, 1943.

*Miscellaneous Provisions*

(f) *Certification to the seller of paper shipping sacks by the buyer.* No commercial user may order or accept delivery of paper shipping sacks, and no person may deliver paper shipping sacks to a commercial user unless the buyer furnishes, or has previously furnished, to the person making delivery, certification in substantially the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose.

The undersigned certifies, subject to the penalty of section 35A of the U. S. Criminal Code, to the seller and to the War Production Board that he is familiar with the order L–279 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

The above certificate must be used and the certification provided for in Priorities Regulation Number 7 may not be used in its place and stead.

This is a one-time certification and need not accompany each individual order for paper shipping sacks.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(h) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Paper Division, Washington 25, D. C., Ref: L–279.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

SCHEDULE I: *General restrictions*—(a) *Applicability.* Except as otherwise specifically stated in this schedule, the provisions of this schedule shall apply, on and after July 19, 1943, to the manufacture of any paper shipping sack designed for packing the following:

(1) Sugar and lime in any quantity of 25 lbs. or more.

(2) Flour and cereal products in any quantity over 50 lbs.

(3) Any other commodity in any quantity over 25 lbs.

These restrictions are in addition to all other applicable restrictions of this order and all schedules of this order.

(b) *Prohibited paper finishes.* No paper with embossed, super-calendared, or special machine finish shall be used for the sacks of the kinds described in paragraph (a) of this schedule.

(c) [Deleted, Oct. 27, 1943]

(d) *Permitted paper grades.* No paper of any grade except the following shall be used for the sacks of the kinds described in paragraph (a) of this schedule.

Plain natural kraft and colored kraft.

Kraft-and-hard fibre combinations (for single-wall and duplex sacks only).

Mildew-proof paper.

Oil-treated paper.

Water-repellent paper.

Wet-strength paper.

Paper especially processed for protecting commodities (such as asphalt, chemicals, molten rosin) which, because of their physical or chemical characteristics, require the protection of such paper.

(e) *Permitted paper grades for Appendix B.* Asphalted paper (paper laminated, impregnated, coated or infused with asphaltic compounds), paraffined paper and moisture-proof paper may only be used for paper shipping sacks to package the items listed on Appendix B.

(f) *Permitted basis weights.* Basis weights shall be computed on the basis of 500 24" x 36" sheets per ream, with a tolerance of 5% (plus or minus).

(1) *For single-wall and duplex sacks.* No plain natural kraft, plain bleached kraft, kraft-and-hard-fibre combination, or wet-strength paper of any basis weight except the following shall be used for single-wall and duplex sacks of the kinds described in paragraph (a) of this schedule:

30, 40, 50, 60, 70, 80, 90, 100, 110, 120, 125, 130 lbs., and, for packing carbon black only, 35 lbs., also

(2) *Multi-wall sacks.* No plain natural kraft or wet-strength paper of any basis weight except the following shall be used for multi-wall sacks of the kinds described in paragraph (a) of this schedule:

40, 50, 60, and 70 lbs. only.

(g) [Deleted, Oct. 27, 1943]

SCHEDULE II: *Additional restrictions for certain sacks*—(a) *Applicability.* The restrictions of this Schedule are in addition to any other applicable restrictions of this order and all schedules of this order.

(b) *Restrictions on sack sizes.* No sack manufacturer shall manufacture any paper shipping sack designed for packing any commodity listed below, except in any size of more than 100 lbs. or in any of the sizes specified below for that commodity:

| Sack designed for packing commodity specified (1) | Sack size (net weight capacity unless otherwise specified) (2) |
|---|---|
| Beans | 2-5-10-25-50-100 lbs. |
| Cement (standard portland). | 94 lbs. |
| Flour (milled wheat) [1] | 2-5-10-25-50-100 lbs. |
| Meal | 2-5-10-25-50-100 lbs. |
| Plaster (gypsum) | 2-5-10-25-50-100 lbs. (gross weight). |
| Potatoes | 2-5-10-15-25-50-100 lbs. |
| Processed feed (mixed, mill). | 2-5-10-25-50-100 lbs. |
| Rice | 2-3-5-10-15-25-50-100 lbs. |
| Salt | 2-4-10-25-50-100 lbs. |
| Seeds [2] | 2-5-10-25-50-100 lbs. 1, 2 bu. |
| Starch (corn) | 2-5-10-25-50-100 lbs. |
| Sugar (refined cane, beet). | 2-5-10-25-50-100 lbs. |

[1] "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and bleached, bromated, enriched, phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

[2] Additional sizes are permitted as follows: ½ bu. for hybrid seed corn; 3 bu. for cotton seed.

(c) *Exceptions.* The size restrictions of paragraph (b) above shall not apply to the manufacture of paper shipping sacks which are:

(1) To be exported, empty, by the sack manufacturer.

(2) Ordered by a user for packaging any listed commodity to be exported by him, provided the sack manufacturer receives from the user a statement on the purchase order that the sacks ordered for the packing of the listed commodities are for export.

(3) Manufactured to meet the packaging specifications of and for delivery to, or for the account of, the Army, Navy, Maritime Commission, War Shipping Administration, or any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(4) Of the container or overslip types of sacks.

(d) [Deleted, Oct. 27, 1943]

APPENDIX A

AGRICULTURAL PRODUCTS

Alfalfa meal, bulk, 25 lbs. or more.
Apples fresh or dry, bulk, 25 lbs. or more.
Baking powder, bulk, 25 lbs. or more.
Barley, bulk, 25 lbs. or more.
Beans and peas—Not less than 50 lbs. when packed in container shipping sacks.
Beet pulp, bulk, 25 lbs. or more.
Blood, bulk, 25 lbs. or more.
Candy (export liners only), bulk, 25 lbs. or more.
Cereals—Not less than 30# when packed in container shipping sacks.
Cigars and cigarettes (export liners only), bulk, 25 lbs. or more.
Coco, bulk, 25 lbs. or more.
Cocoa, bulk, 25 lbs. or more.
Coconut shredded.
Coffee—Not less than 12# when packed in container shipping sacks.
Copra meal, bulk, 25 lbs. or more.
Corn-dry, bulk, 25 lbs. or more.
Corn flour cereal binder, bulk, 25 lbs. or more.
Corn meal—Not less than 50 lbs. when packed in container shipping sacks.
Corn sugar, bulk, 25 lbs. or more.
Cotton seed, bulk, 25 lbs. or more.
Cottonseed meal, cake and hulls, bulk, 25 lbs. or more.
Dessert preparations—Dry.
Distillers dried grains and solubles, bulk, 25 lbs. or more.
Dough improver, bulk, 25 lbs. or more.
Doughnut mix, bulk, 25 lbs. or more.
Fat, hard, bulk, 25 lbs. or more.
Feed and food (See paragraph (b) (3)):
Pet—Not less than 48# when packed in container shipping sacks.
Livestock and poultry—Not less than 50 lbs. when packed in container shipping sacks.
Mineral—Not less than 50 lbs. when packed in container shipping sacks.
Oyster shell grits—Not less than 50 lbs. when packed in container shipping sacks.
Flour—Not less than 24# when packed in container shipping sacks.
Goldenrod, bulk, 25 lbs. or more.
Linseed meal, bulk, 25 lbs. or more.
Malt dextrine, bulk, 25 lbs. or more.
Malt syrup, dried, bulk, 25 lbs. or more.
Mazein, bulk, 25 lbs. or more.
Meal, cracker—Not less than 50 lbs. when packed in container shipping sacks.
Meal, fish—Not less than 50 lbs. when packed in container shipping sacks.
Milk, dried and powdered, bulk, 25 lbs. or more.
Molasses, dry, bulk, 25 lbs. or more.
Orange pulp, bulk, 25 lbs. or more.
Peanuts, shelled, bulk, 25 lbs. or more.
Peanut meal, bulk, 25 lbs. or more.
Peat, bulk, 25 lbs. or more.
Pectin.
Potatoes—Not less than 50 lbs. when packed in container shipping sacks.
Rice—Not less than 24# when packed in container shipping sacks.
Seeds—Not less than 24# when packed in container shipping sacks.
Soap, industrial, bulk, 50 lbs. or more.
Soup powder, bulk, 25 lbs. or more.
Soy bean flour and meal—Not less than 24# when packed in container shipping sacks.
Soya milk, bulk, 25 lbs. or more.
Spices, bulk, 25 lbs. or more.
Starch—Not less than 50 lbs. when packed in container shipping sacks.
Stearic acid, bulk, 25 lbs. or more.
Stearine, bulk, 25 lbs. or more.
Sugar—Not less than 60 lbs. when packed in container shipping sacks.
Vegetables, dehydrated.

BUILDING MATERIALS

Calsomine, bulk, 5 lbs. or more.
Cement, bulk:
Portland.
High early.
White portland.
Oil well.
Insulating.
Plastic.
Waterproof.
Masonry.
Glass wool, bulk, 25 lbs. or more.
Gypsum, bulk, 2 lbs. or more.
Masonry mortars, bulk, 25 lbs. or more.
Mineral wool, bulk, 25 lbs. or more.
Mortar, bulk, 25 lbs. or more.
Mortar mix, bulk, 25 lbs. or more.
Plaster, bulk, 2 lbs. or more.
Plaster of Paris, bulk, 2 lbs. or more.
Stucco, bulk, 25 lbs. or more.
Whitewash, bulk, 5 lbs. or more.

CHEMICALS AND PIGMENTS

Alpha floc.
Alpha protein.
Activated alum.
Activated carbon.
Agar-agar.
Alum.
Aluminum hydrate.
Aluminum salts.
Aluminum stearate.
Ammonium salts.
Bark, tanning.
Basic slag.
Bicarbonate of soda (sodium bicarbonate).
Bichromate of soda.
Bone black.
Borax.
Boric acid.
Calcium arsenate.
Calcium carbide.
Calcium salts.
Calcium silicate.
Carbon black.
Casein.
Catalysts.
Charcoal.
Chemicals—Aromatic and intermediate.
Citric acid.
Colors.
Copper sulfate.
Cupric chloride.
Cyanamid.
Detergents, alkaline.
Disinfectants and germicides.
Drugs.
Dye intermediate.
Ferric sulfate.
Ferrous sulfate.
Fertilizer, including super phosphate.
Fire extinguisher charger.
Flux.
Gums, natural and synthetic.
Hexachlorethane.
Insecticides and fungicides.
Iron oxide.
Kelp.
Lead arsenate.
Lead silicate.
Lead sulfate.
Licorice extract (dry, powdered).
Lime, (hydrated).
Lime, (quick).
Limestone.
Lithopone.
Magnesium salts.
Manganese salts.
Metal treating and processing compounds.
Moulding material.
Naphthalene.
Paint.
Phthalic anhydride.
Pigments.
Pitch.
Plaster of Paris.
Potash salts.
Quebracho.
Resins, natural and synthetic.
Riboflavin.
Rosin size.
Rubber processing chemicals.
Salt (sodium chloride).
Silica gel, silicic acid.
Smoke mix.
Sodium salts.
Strontium carbonate.
Sulfate—lead.
Sulfur.
Tanning extracts.
Thermit.
Titanium dioxide.
TNT.

Ultramarine blue.
Urea.
White lead.
Whiting ($CaCo_3$).
Zinc borate.
Zinc sulphate.
Zirconium salts.

MINERALS

Abrasives, bulk, 25 lbs. or more.
Alluvial silt, bulk, 25 lbs. or more.
Aluminum alloys, bulk, 25 lbs. or more.
Aluminum flake, bulk, 25 lbs. or more.
Aluminum magnesium, bulk, 25 lbs. or more.
Alumite, bulk, 25 lbs. or more.
Amijel, bulk, 25 lbs. or more.
Antimony oxide, bulk, 25 lbs. or more.
Aplite rock, bulk, 25 lbs. or more.
Asbestos, bulk, 25 lbs. or more.
Asphalt filler, bulk, 25 lbs. or more.
Barytes and other barium products, bulk, 25 lbs. or more.
Bauxite, bulk, 25 lbs. or more.
Bindarene flour, bulk, 25 lbs. or more.
Carbonettes, bulk, 25 lbs. or more.
Cement, carbide, bulk, 25 lbs. or more.
Cement, refractory, bulk, 25 lbs. or more.
Cement, silica, bulk, 25 lbs. or more.
Chrome ore and chromite, bulk, 25 lbs. or more.
Clay, fire, bulk, 25 lbs. or more.
Clay and talc, bulk, 25 lbs. or more.
Core compound, bulk, 25 lbs. or more.
Cryolite, bulk, 25 lbs or more.
Cyanite (kyanite), bulk, 25 lbs. or more.
Diatomaceous earth, bulk, 25 lbs. or more.
Drilling mud, bulk, 25 lbs. or more.
Feldspar, bulk, 25 lbs. or more.
Ferroalloys and alloying metals, bulk, 25 lbs. or more.
Flint, bulk, 25 lbs. or more.
Fluorspar, bulk, 25 lbs. or more.
Frit, bulk, 25 lbs. or more.
Glaze spar, bulk, 25 lbs. or more.
Graphite, bulk, 25 lbs. or more.
Magnesite, bulk, 25 lbs. or more.
Magnesium oxide, bulk, 25 lbs. or more.
Magnesium, bulk, 25 lbs. or more.
Magnesol, bulk, 25 lbs. or more.
Manganese ore, bulk, 25 lbs. or more.
Mica, bulk, 25 lbs. or more.
Nickel salts, bulk, 25 lbs. or more.
Pumice, bulk, 25 lbs. or more.
Pumicite, bulk, 25 lbs. or more.
Pyrophillite, bulk, 25 lbs. or more.
Quartz, bulk, 25 lbs. or more.
Roofing granules, bulk, 25 lbs. or more.
Silica, bulk, 25 lbs. or more.
Silica flour, bulk, 25 lbs. or more.
Slate flour (dust or granules), bulk, 25 lbs. or more.
Soapstone, bulk, 25 lbs. or more.
Spar, bulk, 25 lbs. or more.
Sprayed asbestos, bulk, 25 lbs. or more.
Tungsten ore, bulk, 25 lbs. or more.

MISCELLANEOUS

Activated sponge, bulk, 25 lbs. or more.
Aluminum powder, bulk, 25 lbs. or more.
Antimony oxide, bulk, 25 lbs. or more.
Asphalt, bulk, 25 lbs. or more.
Bags, empty.
Binder twine.
Cadmium dust, bulk, 25 lbs. or more.
Coal.
Coke.
Copper dust, bulk, 25 lbs. or more.
Cork, bulk, 25 lbs. or more.
Corn cob meal, bran and flakes, bulk, 25 lbs. or more.
Dry ice.
Emery.
Ferro manganese, bulk, 25 lbs. or more.
Fire clay, bulk, 25 lbs. or more.
Glass globules, bulk, 25 lbs. or more.
Glues and pastes, dry.
Lead wool, bulk, 25 lbs. or more.
Metal cans, empty.
Rubber dust, bulk, 25 lbs. or more.
Rubber reclaimed, bulk, 25 lbs. or more.
Rubber, synthetic and guayule, bulk, 25 lbs. or more.
Seacoal, bulk, 25 lbs. or more.
Waxes and greases, bulk, 25 lbs. or more.
Wood flour, bulk, 25 lbs. or more.
Zinc oxide, bulk, 25 lbs. or more.

APPENDIX B—ASPHALTED, PARAFFINED AND MOISTURE-PROOF PAPER

These types of paper may only be used in the manufacture of paper shipping sacks designed to package the following products:

NOTE: Asphalted, paraffined and moisture-proof papers may be used in any paper shipping sack used for the shipment of any commodity by or to the Army, Navy, Maritime Commission and War Shipping Administration for either domestic or export shipment. The use of these papers is permitted in paper shipping sacks used to ship commodities for commercial export.

These papers may be used by Foreign Economic Administration in any empty shipping sack shipped by Foreign Economic Administration to or for the Armed Forces of the United States. All other Foreign Economic Administration requirements for empty paper shipping sacks are subject to the restrictions of Appendix B.

Activated carbon.
Alpha protein.
Ammonium chloride.
Ammonium nitrate.
Antimony oxide.
Asphalt.
Baking powder.
Bichromate of soda.
Bindarene flour (core compound Lignin Pitch).
Calcium arsenate.
Calcium chloride.
Calcium magnesium chloride.
Calcium oxide (quicklime).
Cement (high early, oil well, white portland, insulating, plastic, waterproof and refractory).
Coconut shredded.
Copper sulfate.
Corn sugar.
Cotton seed.
Cupric chloride.
Cyanamid.
Dessert preparations—dry.
Disinfectants and germicides.
Di-sodium phosphate.
Distillers dried grains and solubles.
Dough improver.
Doughnut mix.
Ferric sulfate.
Ferro manganese.
Ferrous sulfate.
Fertilizer.
Fire clay.
Insecticides and fungicides.
Lead arsenate.
Licorice extract (dry, powdered).
Limestone, (ground (used for mine dust only)).
Magnesium oxide.
Manganese sulfate.
Malt dextrine.
Milk, skimmed (powdered).
Molasses (dry, powdered).
Monocalcium phosphate.
Naphthalene flakes.
Peat.
Pectin.
Phthalic anhydride.
Potassium chloride.
Potassium nitrate.
Potatoes, dehydrated.
Quebracho and myrobalin.
Rosin size (hygroscopic types).
Salt (sodium chloride).
Smoke mix.
Sodium flourosilicate.
Sodium metasilicate.
Sodium nitrate.
Sodium sulfate (glaubers salt).
Sodium sulfide.
Soups.
Sugars (brown, pulverized and fine grained granulated).
Tanning extract (dry).
Tetro sodium pyrophosphate.
Tri-sodium phosphate.
Truline binder.
Urea.
Vegetables, dehydrated.
Zinc sulfate.

[F. R. Doc. 45-513; Filed, Jan. 6, 1945; 11:41 a. m.]

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## PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 34 as Amended Jan. 6, 1945]

UREA AND MELAMINE ALDEHYDE RESINS

§ 3293.1034 *Schedule 34 to General Allocation Order M-300*—(a) *Definition.* "Urea or melamine aldehyde resin" means any synthetic reaction product of urea, thiorea or melamine with formaldehyde, paraformaldehyde, hexamethylenetetramine, furfural or any other organic compound containing the monovalent CHO radical. The term urea or melamine aldehyde resin shall include crystalline reaction products capable of resinification, such as dimethylol urea, and shall include all such resins, modified or otherwise, in liquid, solid, spray dried, cast, granulated or powdered form and in solutions commonly termed syrups and resin solutions, as well as resin dispersions and emulsions.

However, the term urea or melamine aldehyde resin shall not include any reaction product used in compounding rubber; any mixtures of urea or melamine aldehyde resins with other resins or plastics which are allocated under Order M-246 (Phenolic Resins) or Schedule 54 (Vinyl Polymers), or Schedule 17 (Acrylic Resins) or Schedule 35 (Urea and Melamine Aldehyde Molding Compound) under Order M-300, as now or hereafter amended; or any products made from urea or melamine aldehyde resin, such as plywood, paper, laminates, textiles, leather, sand cores, or protective coatings (other than resins sold by suppliers to protective coating manufacturers for use in the formulation of protective coatings).

(b) *General provisions.* Urea and melamine aldehyde resins are subject to the provisions of General Allocation Order M-300 as Appendix B materials. The initial allocation date is July 1, 1943, when urea and melamine aldehyde resins first became subject to allocation under Order M-331 (revoked). The allocation period is the calendar month. The small order exemption without use certificate is 550 pounds in the aggregate of urea and melamine aldehyde resin per person per month.

(c) [Deleted Nov. 7, 1944.]

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). The filing date is the 20th day of

the month preceding the proposed delivery month. File separate sets of forms for liquid and for spray dried resin and for each of the following main classes of customers' uses (marking the class of use in the upper right hand margin of the form): Adhesives and specialties (including plywood, woodworking, V-box, foundry core binder, froth resins, wet-strength paper), textiles, laminates, and protective coatings. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–34. Specify grade either as liquid or as spray dried. The unit of measure is pounds. An aggregate quantity may be requested without specifying customers' names for delivery on uncertified exempt 550 pound small orders. In Table II fill in Columns 8, 9, 13, and 14 and leave the other columns blank.

(e) *Certified statements of use.* Each person placing a purchase order for delivery of more than 550 pounds per month in the aggregate from all suppliers shall furnish each supplier with a certified statement of the proposed use, in the form prescribed in Appendix D of General Allocation Order M–300. End use may be specified as for plywood, for adhesives for specified products (such as V-boxes), for laminates (specify sheet, rod, tube or molded shape), for protective coatings, for textiles (specify whether printed or finished) or for any other specified product. The governing military or Lend-Lease contract, if any, should be specified. In the case of orders for urea or melamine aldehyde resins for protective coating purposes, end use shall be stated specifically if the requested resins contain phthalic alkyd resins, and shall be stated in terms of the end use groups of Direction 2 to Order M–300 if the requested resins do not contain phthalic alkyd resins. Proposed use may also be specified as "for authorized resale", "for resale on exempt small orders", and "for export" (specify destination and export license number).

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule should be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–34.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45–517; Filed, Jan. 6, 1945; 11:42 a. m.]

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## PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 36, as Amended Jan. 6, 1945]

### GLYCOL ETHERS

§ 3293.1036 *Schedule 36 to General Allocation Order M–300*—(a) *Definition.* "Glycol ether" means any one of the following:

(1) Monobutyl ether of ethylene glycol

(2) Monomethyl ether of ethylene glycol

(3) Monoethyl ether of ethylene glycol

(4) Monoethyl ether of diethylene glycol

(b) *General provisions.* Glycol ethers are subject to allocation under General Allocation Order M–300 as Appendix A materials. The initial allocation date is August 1, 1944. The allocation period is the calendar month and the small order exemption per person per month is as follows:

| | |
|---|---|
| Monobutyl ether of ethylene glycol | 400 lbs. |
| Monomethyl ether of ethylene glycol | 2,150 lbs. |
| Monoethyl ether of ethylene glycol | 4,100 lbs. |
| Monoethyl ether of diethylene glycol | 2,300 lbs. |

(c) *Suppliers' applications on WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). Filing date is the 25th day of the month before the proposed delivery month. File a separate set of forms for each glycol ether. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–36. The unit of measure is pounds. An aggregate quantity may be requested of each glycol ether, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(d) *Customers' applications on WPB–2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB–2945 (formerly PD–600). Filing date is the 20th day of the month before the requested allocation month. File a separate set of forms for each different glycol ether. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–36, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following:

Carburizing fluids
Chemical manufacture (specify product)
Cosmetics
Coupling agents (specify product)
General solvent (specify—for example, marking ink, dyestuffs, lacquers, woodstain)
Hydraulic fluids
Metal cleaners
Metal cutting oils
Textile oils
Other primary products (specify)
Export (as glycol ether)
Inventory (as glycol ether)
Resale (as glycol ether)

In Column 4 specify ultimate use to which each primary product will be put in terms of the following: civilian, industrial, Lend-Lease, other export, or military. If the primary product is required for more than one of these uses, specify percentage for each use. In the case of military use specify contract and specification numbers. Opposite "export", "inventory" or "resale" in Column 3, fill in Column 4 in accordance with paragraph (11–a) of Appendix E of Order M–300. Fill in the other columns of Table I and fill in Tables II and III. Leave Tables IV and V blank.

(e) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–36.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45–518; Filed, Jan. 6, 1945; 11:42 a. m.]

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## PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 84]

### DESICCANT GRADE BENTONITE

§ 3293.1084 Schedule 84 to General Allocation Order M–300.—(a) *Definition.* "Desiccant grade Bentonite" means an aluminum silicate clay, known as Bentonite, which has been treated or activated and pelleted so that it possesses marked desiccant properties.

(b) *General restrictions.* Desiccant grade Bentonite is subject to allocation under General Allocation Order M–300 as an Appendix A material. The initial allocation date is February 1, 1945. The allocation period is the calendar month and the small order exemption is 800 pounds per person per month.

(c) *Suppliers' applications on WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). Filing date is the 10th day of the month before the requested allocation month. Application for February deliveries should be filed as soon as possible after January 10, 1945. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–84. The unit of measure is pounds. If a supplier requires desiccant grade Bentonite for the purpose of manufacturing in his own plant component parts of any equipment (or indicator gel), he should specify himself as a customer on Form WPB–2946. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(d) *Customers' applications on Form WPB–2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB–2945 (formerly PD–600). Filing date is the 5th day of the month before the requested allocation month. Applications for February deliveries should be filed as soon as possible after January 5th, 1945. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–84, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. In Column 1 specify container size requested and opposite in Column 2, the

total poundage of desiccant grade Bentonite for each size container. In Column 3 show prime Government contract number using two lines if necessary. In Column 4 fill in end use. If end use is "packaging", describe the material to be packaged. If end use is other than packaging, specify in terms of the following:

Ships allowance list
Dehumidification of inactive ships
Gas masks
Air conditioning
Refrigeration
Export
Inventory
Resale
Other (specify)

In Table II specify container size in Column 11 and fill in remaining columns as indicated in heading showing all quantities in pounds of desiccant grade Bentonite. Fill in Table III as indicated where applicable specifying pounds of desiccant grade Bentonite in Column 18, and container size in Column 19. Leave Tables IV and V blank. When necessary, Tables I, II and III may be extended on a separate sheet.

(e) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–84.

Issued this 5th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45–484; Filed, Jan. 5, 1945; 4:24 p. m.]

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## PART 3302—SERVICE EQUIPMENT

[Limitation Order L–54–a, as Amended Jan. 6, 1945]

### TYPEWRITERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the materials and facilities used in the production of typewriters for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3302.6 *Limitation Order L–54–a*—(a) *Definitions.* For the purpose of this order:

(1) "Manufacturer" means any person manufacturing typewriters, including sales and distribution outlets controlled by such a person.

(2) "Dealer" means any wholesaler, retailer or other distributor of typewriters, other than sales and distribution outlets controlled by a manufacturer.

(3) "Importer" means any person who imports typewriters into the United States for sale and distribution in the United States.

(4) "Typewriter" unless expressly otherwise stated, means non-portable and portable typewriters (including noiseless and electric types), and unless expressly otherwise stated, refers only to new typewriters. The term shall not include: billing machines (accounting principle); continuous forms handling machines, typewriter principle, having carbon paper handling devices constructed as an integral part of the machine; shorthand writing machines; telegraphically controlled typewriters; braille typewriters; toy typewriters; office composing machines, linotype machines or monotype machines. The term "new typewriters" means any typewriter which has never been delivered to a person acquiring it for use. This does not include rebuilt typewriters.

(5) "Sets of parts" means parts for typewriters fabricated at plants in the United States for shipment to foreign countries for assembly into typewriters.

(6) "Repair parts" means typewriter parts produced by a manufacturer to use or sell for repairing and servicing of typewriters.

(b) *Restrictions on production.* Manufacturers may produce typewriters or sets of parts only in accordance with written instructions from the War Production Board. Production will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant or in any other plant located in the same area.

(c) *Restrictions on delivery.* Manufacturers may deliver new typewriters only to persons who are authorized by the War Production Board in writing to receive them. Importers may deliver imported new non-portable typewriters only to persons who are authorized in writing to receive them. Persons who want authorization to receive new typewriters for export should submit Form WPB–1319 to the Foreign Economic Administration, Washington 25, D. C. All other non-military applicants should submit Form WPB–1319 to the nearest field office of the War Production Board. Instead of using Form WPB–1319, the Army of the United States, the Navy of the United States, and the United States Maritime Commission should continue to use the same method of requesting authorization to receive new typewriters which they were using when this order was amended on May 15, 1944.

Applications on Form WPB–1319 should be made in accordance with the official instructions for the use of the form. These instructions can be obtained from any War Production Board office. In the alternative, until June 1, 1944, applications may be submitted to the War Production Board at Washington on Form WPB–1688 instead of Form WPB–1319. These forms of application have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

When a person has been authorized to receive delivery of a new typewriter, the manufacturer or importer of the typewriter may make delivery to him either directly or through a dealer.

In the past the delivery of second-hand typewriters and some new typewriters has been controlled by the Office of Price Administration. Control of deliveries of new typewriters owned by dealers, and of deliveries of all second-hand typewriters, including rebuilt typewriters, has been discontinued. Deliveries of new typewriters by manufacturers will continue to be controlled by the orders of the War Production Board instead of the orders of the Office of Price Administration.

(d) *Sequence of deliveries.* Regardless of Priorities Regulation No. 1, when authorized pursuant to the preceding paragraph, deliveries of each model of typewriter must be made in the order indicated by the delivery dates specified in the approval forms or other authorizations, unless the War Production Board specifically tells a manufacturer or importer in writing to do something else. If a manufacturer or importer receives two or more authorizations requesting the same delivery date for the same model of typewriter, and cannot make all deliveries on time, he must deliver them in the order in which the authorizations were received by him. If an authorization requests delivery before the date on which the authorization is received by the manufacturer or importer, the order must be treated as if the delivery date requested was the day when the authorization was received by the manufacturer or importer.

(e) *Shipment of sets of parts by manufacturers.* Manufacturers may ship sets of parts to foreign countries only in accordance with written instructions from the War Production Board. Those who wish to make such shipments may apply by letter to the War Production Board for authorization to do so.

(f) *Inventories of repair parts.* No manufacturer may produce more repair parts than he needs to produce in order to maintain a practicable minimum working inventory of them. This is the only restriction in this order which applies to repair parts.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Applicability of regulations.* This order and all transactions affected thereby, are subject to all applicable regulations of the War Production Board, as amended from time to time, with the exception of those provisions

of Priorities Regulation No. 1 inconsistent with paragraph (d).

(i) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce more typewriters or sets of parts than he has been authorized to produce under paragraph (b) (including a person who has not been authorized to produce typewriters or sets of parts under this order), may apply for permission to do so as explained in Priorities Regulation 25. The restrictions on delivery contained in paragraphs (c), (d) and (e) continue to apply to typewriters and sets of parts authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraph (b), may be made by filing a letter with the War Production Board, Washington 25, D. C., Ref: L–54a, referring to the pertinent provisions of the order and stating fully the grounds for the request. No appeal should be filed from the restrictions of paragraph (b).

(j) *Communications.* All communications concerning this order should be addressed to the War Production Board, Service Equipment Division, Washington 25, D. C., Ref: L–54–a.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45–520; Filed, Jan. 6, 1945; 11:42 a. m.]

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## PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R–1, Direction 9]

### RESTRICTIONS OF MANUFACTURE OF GRADE "A" CAMELBACK

The following direction is issued pursuant to Rubber Order R–1:

Notwithstanding the provisions of List 30, Appendix II, to Rubber Order R–1, as amended November 9, 1944, until March 31, 1945, no Grade "A" Camelback or capping stock may be manufactured in crown widths of less than five and one-quarter inches (5¼") and in depth gauge of less than fourteen thirty-second inch (1$^{14}/_{32}$"), including cushion gum, except to fill government orders.

The manufacture of wing-type die sizes shall be permitted only to fill government orders, or for use in retreading off-the-road tires.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1, as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45–585; Filed, Jan. 6, 1945; 4:50 p. m.]

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## PART 1010—SUSPENSION ORDERS

[S–654, Revocation]

### FIELD ENTERPRISES, INC.

Suspension Order S–654 was issued on November 10, 1944 against Field Enterprises, Inc., a corporation with its principal office in Chicago, Illinois. Since September 1, 1944 it has been engaged in the business of publishing a daily newspaper known as the Chicago Sun and is the successor to Marshall Field III, who owned and published the Chicago Sun prior to that date. The respondent appealed to the Chief Compliance Commissioner and on November 14, 1944, a stay of the provisions of the Order was granted pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy.

The case was reviewed by the Chief Compliance Commissioner. As a result of the review he has directed that Suspension Order S–654 be revoked forthwith.

In view of the foregoing, it is hereby ordered, that: § 1010.654, *Suspension Order No. S–654* be revoked forthwith.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45–580; Filed, Jan. 6, 1945; 4:23 p. m.]

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## PART 3207—INDUSTRIAL TYPE INSTRUMENTS, CONTROL VALVES AND REGULATORS: SIMPLIFICATION

[Limitation Order L–272, Schedule I, as Amended Jan. 8, 1945]

### CONTROL VALVES AND REGULATORS [1]

§ 3207.2 *Schedule I to Limitation Order L–272—(a) Definitions.* (1) A "control valve" as used in this schedule means any globe type valve, the inner portion of which is automatically positioned by pneumatic or hydraulic motive power, and is produced and designed for use with any industrial type instrument; or the body assembly of such a valve, irrespective of the use to which the body assembly may be applied. The term "control valve" does not include, however, any of the following types of valves:

(i) Valves for primary pressure ratings above 1,500 pounds.

(ii) Valves for use as part of the equipment of watercraft other than pleasure craft.

(iii) Welded end valves.

(iv) Flow diversion valves produced and designed for use in the pasteurization of milk.

[1] Schedule I, as amended January 8, 1945, is a combination of previous Schedules I and V, which covered control valves and regulators respectively. Schedule V is revoked, and the new combined Schedule I applies to both control valves and regulators.

(2) A "regulator", as the term is used in this schedule, is any one of the following types of self-operated valves used to control temperature or pressure; exclusive, however, of regulating valves for use as part of the equipment of watercraft other than pleasure craft, welded end valves, or float valves and regulating valves for primary pressure ratings above 1,500 pounds:

(i) Self-operated temperature regulators.

(ii) Self-contained pilot-operated pressure regulators.

(iii) All other pressure regulators (including, but not limited to, reducing valves, back pressure valves, pump governors, altitude valves, etc.)

(b) *Specifications.* Control valves and regulators shall be manufactured only to the following specifications:

*General Provisions*

(1) Screwed end type steel, iron, brass and bronze control valves and regulators shall be manufactured with female threads only.

(2) Steel, iron, brass and bronze control valves and regulators shall not be manufactured in any sizes between ½ inch and 16 inch except in the following sizes, expressed in inches:

| | | | |
|---|---|---|---|
| ½ | 4 | 1½ | 10 |
| ¾ | 5 | 2 | 12 |
| 1 | 6 | 2½ | 14 |
| 1¼ | 8 | 3 | 16 |

*Steel Body*

(3) Steel body control valves and regulators shall be manufactured with screwed ends only in sizes up to and including 2-inch, and then only for primary pressure ratings (American Standards Association) of 600-lb. or 1500-lb.

(4) Steel body control valves and regulators shall be manufactured with flanged ends only in the following sizes and for primary pressure ratings (American Standards Association) as indicated:

| Primary pressure ratings: | *Sizes* |
|---|---|
| 150-lb | ½ inch and above |
| 300-lb | ½ inch and above |
| 600-lb | ½ inch and above |
| 900-lb | 1 inch and above |
| 1500-lb | 1 inch and above |

(5) End flange faces for steel body control valves and regulators shall be American Standards Association large male face; or American Standards Association octagonal ring joint groove; or American Petroleum Institute octagonal ring joint groove, provided the groove is cut in the basic flange thickness; or American Standards Association large tongue and groove for control valves or regulators which are manufactured for the control of a liquid or gas which has chemical or physical properties that would render another type of construction dangerous.

(6) Steel body control valves and regulators shall not be manufactured with union ends.

*Iron Body*

(7) Iron body control valves and regulators shall be manufactured with screwed ends only in sizes up to and including 2-inch.

(8) Iron body control valves and regulators shall be manufactured with flanged ends only in sizes 2-inch and above.

(9) Flanged end iron body control valves and regulators shall be manufactured only with flange facings and only for 125-lb. or 250-lb. primary pressure ratings (American Standards Association); except that when made of malleable iron, flanges conforming to Manufacturers Standardization Society of the Valve and Fitting Industry Bronze Flange Standard SP–2 may be used. American Standards Association large tongue and groove construction is permissible for iron body control valves and regulators manufactured for the control of a liquid or gas which has chemical or physical properties that would render another type of construction dangerous.

(10) Iron body control valves and regulators shall not be manufactured with union ends.

*Brass and Bronze Body*

(11) Brass and bronze body control valves and regulators shall be manufactured with screwed ends only in sizes up to and including 2-inch (subject to the provisions of Conservation Order M–9–c).

(12) Brass and bronze body control valves and regulators shall be manufactured with flanged ends only in sizes above 2-inch, and then only when corrosion or safety factors necessitate the use of brass or bronze, or when otherwise permitted under Conservation Order M–9–c.

(13) Flanged end brass and bronze body control valves and regulators shall be manufactured only with flange facings and only for 150-lb. or 300-lb. primary pressure ratings (Manufacturers Standardization Society of the Valve and Fitting Industry Bronze Flange Standard SP–2).

(14) Brass and bronze body regulators may be manufactured with union ends, but only for sizes up to and including 2-inch.

*Other Control Valves and Regulators*

(15) All of the provisions of this order applicable to steel body control valves and regulators apply also to all control valves and regulators with bodies made of metals or metal alloys other than steel, iron, brass or bronze, including stainless steel, nickel, monel, and Hasteloy.

Issued this 8th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45–598; Filed, Jan. 8, 1945; 11:27 a. m.]

## PART 3207—INDUSTRIAL TYPE INSTRUMENTS, CONTROL VALVES AND REGULATORS: SIMPLIFICATION

[Limitation Order L–272, Schedule IV, as Amended Jan. 8, 1945]

### INDICATING DIAL PRESSURE GAUGES

§ 3207.5 *Schedule IV to Limitation Order L–272*—(a) *Definition.* A "gauge" is any instrument which measures and indicates, but does not record, any pressure or vacuum (regardless of the units specified on the dial) by means of a bourdon spring or springs, a diaphragm, or a bellows; or is any complete element assembly of such an instrument without a case. The following items are excluded, however, and are not gauges subject to this order:

(1) Airborne gauges.

(2) Any pressure regulator which consists of an enclosure containing a bourdon tube and a relay used for the control of an electric motor starter.

(3) Gauges for absolute pressure measurement which are compensated for barometric pressure changes.

(4) Liquid level gauges using diaphragm boxes or equivalent devices as primary elements, and suitable for level measurement in either open or closed containers or both.

(5) Automotive type gauges with dial diameter of three and one-half inches or less, either panel or engine mounted, which are used to indicate either oil or air pressure as they may be related to the operation of internal combustion engines, or to the air brake systems on construction machinery, passenger, industrial or farm vehicles.

(6) Gauges of a dial diameter of twelve inches or larger, having an accuracy of ¼ of 1% or better.

(7) Gauges sold as indicating controllers in cases which are normally used to house recording or pneumatic control instruments. If the manufacturer of these gauges buys the gauge elements from a dial pressure gauge manufacturer, however, the pressure ranges must conform to those prescribed in paragraph (b) (2) of this schedule.

(8) Draft gauges which are sold as such.

(9) Railroad gauges, which are covered by Schedule VIII to Limitation Order L–272.

(b) *Specifications.* (1) Gauges shall be manufactured only in the following sizes (expressed in inches-dial diameter for round dials and inches-horizontal width for square or rectangular dials): 1½, 2, 2½, 3½, 4½, 6, 8½, 12. This restriction on sizes does not apply, however, to the following gauges:

(i) Inspectors test gauges in the 8-inch size.

(ii) Submarine gauges and testing machine gauges in the 16-inch size.

(iii) [Deleted May 24, 1944]

(iv) Special gauges for specific Navy applications, the manufacture of which may be authorized in writing by the War Production Board.

(2) Gauges shall be manufactured only in the following pressure ranges: 0–30 in. vac.; 30 in.–15 lb.; 30 in.–30 lb.; 30 in.–60 lb.; 30 in.–100 lb.; 30 in.–150 lb.; 30 in.–200 lb.; 30 in.–300 lb.; 0–15 lb.; 0–30 lb.; 0–60 lb.; 0–100 lb.; 0–160 lb.; 0–200 lb.; 0–300 lb.; 0–400 lb.; 0–600 lb.; 0–800 lb.; 0–1,000 lb.; 0–1,500 lb.; 0–2,000 lb.; 0–3,000 lb.; 0–5,000 lb.; and 0–10,000 lb. There are, however, certain exceptions to these limitations. The exceptions are:

(i) Ranges are not limited for pressures lower than 15-lb. or higher than 10,000 lb. p. s. i.

(ii) Ranges are not limited for gauges manufactured for use as pneumatic receivers in conjunction with remote instrument transmitters.

(iii) Gauges used on fire fighting equipment only may be supplied with pressure ranges of 30 in.–400 lb.; 30 in.–600 lbs.; and 30 in.–800 lbs. in dial sizes of 2½ inches, 3½ inches and 4½ inches only.

(3) Altitude and metric graduations shall be limited to the equivalents of the ranges specified in paragraph (b) (2) hereof.

(4) The following items, features and devices shall be eliminated in the manufacture of gauges:

(i) Retard and suppressed scale gauges, except where required by Army or Navy specifications.

(ii) Brass cases, except where required by Army or Navy specifications, or for 4½ in. and 6 in. gauges which are manufactured with a solid or reinforced front for use in plants manufacturing compressed gases, such as, but not limited to, oxygen, hydrogen, nitrogen, helium, acetylene and carbon dioxide, or for gauges used on sterilizers.

(iii) Polished rings, except where required by Army or Navy specifications.

(iv) Plated rings.

(v) Inside case illumination.

(vi) Electric contacts on gauges larger than 2½ inches dial diameter.

(vii) Outside adjustable maximum pointers, or other outside operable pointers, except for testing machine gauges or where required by Army or Navy specifications.

(viii) Customer's name on dial.

(ix) Installation of clocks in gauge cases.

(x) Duplex gauges, except in 4½-inch dial size.

(5) Gauges in sizes 4½-inch dial diameter, or larger, shall be manufactured with the following connections only, except where otherwise required by Navy or Maritime Commission specifications:

(i) Bronze bourdon tube gauges—¼-inch pipe thread only.

(ii) Steel bourdon tube gauges—¼-inch pipe thread from 0 to 1,000 lbs. p. s. i. dial graduation inclusive; ½-inch pipe thread from 1,000 lbs. to 10,000 lbs. p. s. i. dial graduation inclusive.

Issued this 8th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45-599; Filed, Jan. 8, 1945; 11:28 a. m.]

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PART 3207—INDUSTRIAL TYPE INSTRUMENTS, CONTROL VALVES AND REGULATORS: SIMPLIFICATION

[Limitation Order L-272, Revocation of Schedule V]

REGULATORS

Section 3207.6 *Schedule V to Limitation Order L-272* is hereby revoked. This revocation does not affect any liabilities incurred under the schedule. The schedule is superseded by Schedule I to Limitation Order L-272 as amended.

Issued this 8th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45-600; Filed, Jan. 8, 1945; 11:27 a. m.]

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PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Revocation of Direction 13]

DISTRIBUTORS' RECEIPTS OF RED CROSS LUMBER

Direction No. 13 to Order L-335 is revoked. This direction is superseded by an amendment to paragraph (o) of Order L-335, as amended January 5, 1945.

Issued this 8th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45-602; Filed, Jan. 8, 1945; 11:27 a. m.]

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PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Revocation of Direction 15]

DELIVERY OF FLITCHES

Direction No. 15 to Order L-335 is revoked. The provisions of this direction are superseded by an amendment to paragraph (b) of Order L-335, as amended January 5, 1945.

Issued this 8th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45-603; Filed, Jan. 8, 1945; 11:28 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Revocation of Direction 16]

FARMER'S RECEIPT OF LUMBER PRODUCED FROM HIS OWN TREES

Direction No. 16 to Order L-335 is revoked. The provisions of this direction are superseded by an amendment to paragraph (1) of Order L-335, as amended January 5, 1945.

Issued this 8th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45-604; Filed, Jan. 8, 1945; 11:27 a. m.]

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PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Revocation of Interpretation 2]

Interpretation No. 2 to Order L-335 is revoked. Interpretation No. 2 is superseded by amendments to Order L-335, as amended January 5, 1945.

Issued this 8th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45-605; Filed, Jan. 8, 1945; 11:28 a. m.]

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PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Limitation Order L-284, as Amended Jan. 8, 1945]

LUGGAGE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials for making luggage for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.186 *General Limitation Order L-284*—(a) *Definitions.* For the purpose of this order:

(1) "Luggage" means a container of the type used for the transportation of personal effects on a journey, and includes (without limitation of the foregoing) the following: animal carriers, army lockers, bellows and extension cases, Boston bags, bottle cases, carryalls, cosmetic cases, duffel, sport and furlough bags, fitted cases, gladstone cases, hat boxes, hat and shoe boxes, jackknife cases, kit bags, over-night or week-end cases, physician's bags, picnic cases, pullman cases, pullman tray cases, salesmen's sample cases, secretary cases, shoe cases, suit cases, travelling bags, vanity cases, victoria cases, women's and men's wardrobe cases, trunks of all types, and all other products that are sold and known as luggage in the trade. It shall not include any items having a factory price (exclusive of taxes) of $1.50 or less.

(2) "Base period" means the twelve months ended December 31, 1941.

(3) "Cattle hide leather" means leather or rawhide produced from the hides or skins of bulls, steers, cows and buffaloes, whether native or branded, foreign or domestic, including calf and kipskins.

(4) "Military order" means an order for luggage to be delivered to the Army or Navy of the United States (excluding post exchanges and ship's service stores), United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Veterans Administration and the Office of Scientific Research and Development.

(5) "Post exchanges" means United States Army post exchanges and United States Marine Corps post exchanges.

(6) "Ship's service stores" means the stores maintained by the United States Navy Ship Service Department.

(7) [Deleted Oct. 11, 1943.]

(8) "Design and construction" of luggage means the make-up of the luggage in every detail, so that any two pieces of luggage of the same design and construction are necessarily identical, except in quality and color of material utilized.

(b) *Restrictions on manufacturing*—(1) *Limitations on construction.* (i) After June 30, 1943, no person shall produce any luggage except in conformity with the restrictions contained in Schedule I, annexed; and

(ii) After April 30, 1943, no person shall cut or otherwise put into process any material for the manufacture of any animal carriers, bellows and extension cases, bottle cases, cosmetic cases, fitted cases, hat boxes, hat and shoe boxes, jackknife cases, kit bags, picnic cases, secretary cases, shoe cases, vanity cases, victoria cases, women's wardrobe cases or wardrobe trunks of any type: *Provided, however,* That no person shall be deemed to be in violation of this paragraph (b) (1) (ii) in cutting material in his inventory on April 30, 1943, if used only in connection with fabricated or semi-fabricated parts in his inventory on said date and if the luggage into which such material is incorporated is completed prior to July 1, 1943.

(2) *Limitation on quantity produced.* No manufacturer shall produce during any calendar semi-annual period, beginning January 1, 1944, a greater net dollar volume of luggage (factory sales, excluding taxes) than that shown for his class on the following list:

| Class factory sales during the base period: | *Factory sales permitted during any calendar semi-annual period* | *Rate of production on annual basis (percent)* |
|---|---|---|
| $750,000 or more | 32% of base period volume | 64 |
| Between $250,000 and $750,000 | 35% of base period volume | 70 |
| Between $25,000 and $250,000 | 38% of base period volume | 76 |
| Less than $25,000 | 45% of base period volume | 90 |

*Provided, however,* That nothing in this paragraph (b) (2) shall prevent any manufacturer from making factory sales up to $1,000 per month or from producing luggage within such dollar volume.

(3) *Application to military and Post Exchanges orders.* None of the restrictions of this paragraph (b) shall apply to luggage produced under specific military orders as above defined.

Luggage produced for Post Exchanges and Ships' Service Stores must conform to paragraph (b) (1) above, whether or not produced on rated orders, but need not be included within the quota assigned in the second column of the schedule in paragraph (b) (2).

In computing factory sales for the purpose of determining a manufacturer's base period volume, sales to civilian stores, Post Exchanges and Ships' Service Stores shall be included and sales on specific military orders as above defined shall be excluded.

(c) *Restrictions on sales, deliveries and inventories.* (1) No manufacturer or dealer shall sell or deliver any luggage which he knows or has reason to believe was manufactured in violation of this order.

(2) No manufacturer shall accept delivery of any item of material to be incorporated into luggage if by reason of such delivery such manufacturer's inventories of such item will be in excess of his minimum practicable working requirements, or in any event in excess of his requirements for the next 120 days.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all regulations of the War Production Board, as amended from time to time, except paragraph (c) of Priorities Regulation 17, which shall be inapplicable to luggage.

(e) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce a greater net dollar volume of luggage than is permitted under paragraph (b) (2) (including a person who had no base period production), may apply for permission to do so as explained in Priorities Regulation 25. Direction 5 to Priorities Regulation 1 will govern the inventories of materials and products needed to fill a production schedule authorized under Priorities Regulation 25. In all other respects the requirements of this order must be complied with on all production authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraph (b) (2), should be made by letter in triplicate referring to the particular provisions appealed from and stating fully the grounds of the appeal. No appeals should be filed from the restrictions of paragraph (b) (2).

(f) *Communications to the War Production Board.* All reports, applications, forms, or communications required under or referred to in this order, and all communications concerning this order, shall unless otherwise directed be addressed to the War Production Board, Textile, Clothing & Leather Division, Washington 25, D. C., Ref.: L–284.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 8th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

SCHEDULE I

(a) *Limitation of types and styles.* (1) Subject to paragraph (a) (3) below, all items shall be of the following types and within the following maximum outside length:

| *Type* | *Maximum outside length (inches)* |
|---|---|
| Furlough bag | 20 |
| Over-night case | 21 |
| Pullman case (empty) | 26 |
| Tray pullman case | 29 |
| Men's wardrobe | 24 |
| Men's week-end | 24 |
| Foot locker | 31 |
| Physician's bag | 18 |
| Sample cases and sample trunks | Unlimited |
| Packing trunks | 40 |

(2) Except with respect to sample cases and sample trunks, no manufacturer shall in any calendar year produce within each type mentioned above more than two price lines, i. e., either one style in two price lines or two styles in one price line each. For this purpose "style" shall refer to the design and construction of the luggage, including its size, but not to the quality or color of the material utilized.

(3) The restrictions in this paragraph (a) regarding dimensions and number of styles and price lines shall not apply to items produced by manufacturers whose factory sales have not in any prior calendar month (subsequent to May, 1943) exceeded $1,000.

(b) *Limitation on use of materials.* (1) None of the following materials shall be used in making luggage:

(i) Parts containing iron or steel, other than slide fasteners (closures only), frames, locks, bolts, dowels, handle dee rings, handle posts, valances, valance clamps, binding corner clips, men's wardrobe hanger brackets, foot locker corners, foot locker bindings, snap fasteners, buckles, hinges, rivets, screws, nails, tacks, washers, burrs, or other small hardware for essential joinings. No stainless steel may, however, be used in any of these parts.

(ii) Any slide fasteners, except for closures.

(iii) (*a*) Parts containing copper or copper base alloys, except as permitted under Conservation Order M–9–c.

(*b*) Parts containing zinc as defined in Order M–11–b, except as permitted under that order.

(iv) Leather, except:

(*a*) Sheepskin, pigskin, sealskin, walrus, sharkskin or alligator leather,

(*b*) Rawhide (cattlehide) or vegetable tanned cattlehide leather under 3½ ounces in weight,

(*c*) Scrap cattle hide leather, or

(*d*) Vegetable tanned bag, case and strap cattle hide leather bellies under 7 ounces in weight.

Any of the foregoing may be used for handles, attaching handle pieces, welts, bindings, corners, closures but for no other purpose.

(2) In no event shall more iron, steel, or leather be used than is essential to perform a functional purpose. The functional uses for handle loops, leather straps, leather corners and leather bindings shall be limited as follows:

(i) Leather handle loops shall consist of necessary attaching pieces only and shall not include extended strips for design or decorative purposes.

(ii) Leather straps shall be used for essential closure means only and shall not include extended or long straps.

(iii) Leather corners shall be used for essential reinforcements for the top or bottom, or both, of a case or bag only and shall not include wing-tip corners or over-sized corners for design or decorative purposes.

(iv) Leather bindings shall be used for essential reinforcements and shall not exceed 1¼" width before attachment.

INTERPRETATION 1

LUGGAGE

The quota exemption contained in paragraph (b) (3) in favor of "luggage produced for post exchanges and ship's service stores" refers only to luggage produced to fill direct orders from post exchanges and ship's service stores. It does not refer to luggage produced for wholesalers or retailers, even though such wholesalers or retailers may intend to resell the luggage to post exchanges or ship's service stores. (Issued Nov. 17, 1943.)

[F. R. Doc. 45–601; Filed, Jan. 8, 1945; 11:28 a. m.]

## Chapter XI—Office of Price Administration

### PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 451,[1] Amdt. 5]

BOOK PAPER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 451 is amended in the following respects:

1. Section 14 (a) (9) is amended to read as follows:

(9) "Grade" when used in this regulation has reference to a manufacturer's practice of classifying his particular book papers for pricing purposes according to their differences in characteristics, uses, processes of manufacture and brand names, or, if the paper has no brand name, by any other designation. Book papers produced by a manufacturer which have the same characteristics, are capable of the same uses, are produced by the same processes of manufacture, and have the same brand name (if any) are the same grade. Book papers produced by a manufacturer which differ in any of the above elements are different grades.

2. In Appendix A, the introductory paragraph and paragraphs (a) and (b) are revoked and the following are substituted therefor.

APPENDIX A—MAXIMUM PRICES FOR SPOT SALES OF BOOK PAPER BY MANUFACTURERS TO MERCHANTS, AND FOR ALL SALES OF BOOK PAPER BY MANUFACTURERS TO THE U. S. GOVERNMENT OR ANY AGENCY THEREOF

(a) *Maximum prices for spot sales of book papers by manufacturers to merchants.* (1) The maximum base price for a spot sale of a grade of book paper by a manufacturer to a merchant shall be the highest price at which the manufacturer lawfully sold or offered to sell that grade of book paper to a merchant during the period October 1, 1944, to December 31, 1944, exclusive of the differentials, charges, discounts, allowances, and other pricing elements, hereinafter provided for in paragraph (c) of this Appendix A. In determining the maximum price in any particular sale there shall be applied to said base price the differentials, charges, discounts, allowances and other pricing elements provided for in paragraph (c) of this Appendix A. The price after the addition or subtraction of any such applicable pricing elements shall be the manufacturer's maximum price.

(2) If a particular grade of book paper was neither sold nor offered by the manufacturer in a spot sale to a merchant during the period October 1, 1944, to December 31, 1944, the manufacturer shall establish a maximum base price for that grade in line with the price lawfully established by him during such period for the grade of book paper which is currently being produced at a total cost closest to the current total cost of the grade for which a maximum base price is sought. To arrive at the maximum base price for the grade being priced, the difference between the total costs of the two grades in question shall be added to or subtracted from the established base price of the grade with which the comparison is made.

*Provided,* That in any case where the application of the above method for the determination of a maximum base price for a new grade results in a maximum base price which is either higher or lower than the range of maximum prices for other manufacturers of the most similar book papers, the manufacturer's maximum base price for his new grade shall be the maximum base price of his most closely competitive seller of the most similar book paper, exclusive of the differentials, charges, discounts, allowances and other pricing elements provided for in paragraph (c) of this Appendix A. The term "most similar book paper" has reference to a manufacturer who produces a book paper with the greatest similarity in fitness for the same uses, the greatest similarity in characteristics, and the greatest similarity in processes of manufacture to the book paper being priced.

To any maximum in line base price thus determined there shall be applied the differentials, discounts, charges, allowances and other pricing elements provided for in paragraph (c) of this Appendix A wherever applicable. The price after the addition or subtraction of any pricing elements applicable to the particular sale shall be the maximum price for that sale.

A maximum price determined by the seller under this paragraph (a) (2) must be reported to and confirmed by the Office of Price Administration. If this confirmation is not obtained prior to the making of the sale the seller must agree to refund to the purchaser any amount paid in excess of the confirmed maximum price. Confirmation of a maximum price determined under this paragraph (a) (2) shall be obtained as follows: The seller must submit to the Office of Price Administration, Washington, D. C., a statement setting forth all of the relevant facts including the following: (i) description of the grade being priced; (ii) completed Form 695–720 (forms available upon application to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C.) which covers cost and price data on that grade and on the grade with which the price comparison was made; and (iii) a sample sheet of each grade.

When a maximum price as proposed is not disapproved by the Office of Price Administration within 20 days after the above material is filed, it shall be considered confirmed. Confirmation need be obtained only once with respect to each grade involved.

(3) Any maximum price which cannot otherwise be determined under this Appendix A shall be determined by the Office of Price Administration, Washington, D. C., by order upon receipt of an application from the manufacturer setting forth a description of the grade and the reasons why it cannot be priced under any other provision of this Appendix A, and including a completed Form 695–720 with respect to the costs of such grade (copies of Form 695–720 are available upon application to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C.)

3. In Appendix A, paragraph (c) is redesignated paragraph (b) and the words "or paragraph (b)" appearing therein are deleted.

4. In Appendix A, paragraph (d) is redesignated paragraph (c) and the introductory paragraph thereof is amended to read as follows:

(c) *Differentials, charges, discounts and allowances.* The following differentials, charges, discounts, allowances and other pricing elements if applicable may be added to or shall be subtracted from, as the case may be, a maximum base price established under this Appendix A.

5. In the newly designated paragraph (c) of Appendix A, subparagraph (5) is amended to read as follows:

(5) Any other differentials, special charges or any discounts or allowances or other pricing elements not specifically provided for in this paragraph (c) shall be applied by each manufacturer in accordance with his practice during the period October 1, 1944 to December 31, 1944.

This amendment shall become effective January 5, 1945.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45–489; Filed, Jan. 5, 1945; 4:38 p. m.]

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### PART 1384—HARDWOOD LUMBER PRODUCTS

[RMPR 338, Amdt. 3]

AIRCRAFT AND NO. 1 SHEET STOCK VENEER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 338 is hereby amended in the following respects:

1. The title of the regulation is hereby amended to read Revised Maximum Price Regulation 338, Aircraft Veneer.

2. In section 12, Table 11 is hereby deleted.

This amendment shall become effective January 11, 1945.

Issued this 6th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45–525; Filed, Jan. 6, 1945; 11:49 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11529; 9 F.R. 1532, 3030, 5083, 11397.

## PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 538,[1] Amdt. 1]

### COMMERCIAL VENEER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 538 is hereby amended in the following respects:

1. Section 2, is hereby amended to read as follows:

SEC. 2. *Products covered.* This regulation covers and specifically prices, under the name "commercial veneer", all domestic direct-mill sales of rotary cut commercial and technical veneers other than aircraft:

(a) Manufactured in the States of Texas, Louisiana, Arkansas, Mississippi, Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, Virginia, Maryland, Delaware, New Jersey, Pennsylvania, West Virginia, Ohio, Kentucky, Indiana, Illinois, Missouri, and Kansas of sweet gum, tupelo (bay poplar), yellow poplar, black gum, sycamore, maple, Southern basswood (lynn) and magnolia.

(b) Manufactured in the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, New York, Rhode Island, Michigan, Minnesota and Wisconsin of ash, Northern basswood, beech, birch, soft elm, hard maple, and soft maple.

Most veneer grades and sizes in the above mentioned species are specifically priced in this regulation. However, veneer made of these species in grades or sizes, or with special operations not specifically priced in the tables is nevertheless subject to this regulation and must be priced as a "special" under section 3 (b) of this regulation.

This regulation also covers, but does not specifically price, all other rotary cut commercial and technical veneer of domestic species, other than walnut veneer and aircraft veneer, manufactured in the United States, in all grades and sizes, and with any special operations. These veneers, except walnut veneer and aircraft veneer, must be priced as "specials" under section 3 (b) of this regulation. Walnut veneer prices are governed by the General Maximum Price Regulation and aircraft veneer is covered by Revised Maximum Price Regulation No. 338.

Thicknesses not priced in the tables but which are between any two consecutive thicknesses priced in the tables shall have for a maximum price the price established in the tables for the nearest decimal thickness, for the species, grade, width, and length in the particular zone. For example, veneer $\frac{3}{32}$" (0.094") thick would take as a maximum price the price set out in the appropriate table for veneer $\frac{1}{11}$" (0.091") thick.

2. Section 3 (b) is hereby amended by adding at the end of the first paragraph the following paragraph:

No new application need be filed for the sale of exactly the same item to the same buyer for the same purpose as stipulated in the originally approved application.

3. Section 14 is hereby amended to read as follows:

SEC. 14. *Grades and specifications.* All grades and specifications used in this regulation refer to, and have the meaning given in, the current National Hardwood Lumber Association Rules for the Measurement and Inspection of Veneers, Signal Corps Specification No. 72–48, or Bureau of Ships Ad Interim Specification No. 39P15 (Int.). Specific reference is made to one or the other of these specifications in each of the price tables. Regardless of what it may be called, veneer which does not meet these exact specifications may not be priced under the price tables in this regulation, but must be priced under section 3 (b). Refer also to the thickness tolerances shown in section 15 (b).

NHLA Rules may be obtained from the National Hardwood Lumber Association, 59 East Van Buren Street, Chicago, Illinois (25¢). Signal Corps Specification No. 72–48 may be obtained from the Philadelphia Signal Corps Procurement District, 5000 Wissahickon Avenue, Philadelphia, Pennsylvania (no charge). Bureau of Ships Ad Interim Specification No. 39P15, (Int.) may be obtained from the Bureau of Ships, Navy Department, Washington 25, D. C., (no charge).

4. Section 15 (a) is hereby amended to read as follows:

(a) The following are the zones for the purposes of this regulation:

*Zone* 1: Includes the States of Texas, Louisiana, Arkansas, Mississippi, Alabama, Florida, Georgia, and South Carolina and that portion of North Carolina east of and including the counties of Caswell, Alamance, Chatham, Moore, Montgomery, Stanly, Cabarrus, Mecklenburg, Lincoln, and Cleveland.

*Zone* 2: Includes the States of Tennessee and Virginia, and that portion of North Carolina west of and including the counties of Rockingham, Guilford, Randolph, Davidson, Rowan, Iredell, Catawba, Burke, and Rutherford.

*Zone* 3: Includes the States of Maryland, Delaware, New Jersey, Pennsylvania, West Virginia, Ohio, Kentucky, Indiana, Illinois, Missouri, and Kansas.

*Zone* 4: Includes the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, New York, Rhode Island, Michigan, Minnesota, and Wisconsin.

The tables of maximum prices, according to species, grades, and sizes produced in the respective zones, are set out in paragraph (c) below:

Zone 1. Tables 1 through 10 and 2A, 3A, 4A, 6A, 7A, 8A, 9A and 10A.
Zone 2. Tables 11 through 20 and 12A, 13A, 14A, 16A, 17A, 18A, 19A and 20A.
Zone 3. Tables 21 through 30 and 22A, 23A, 24A, 26A, 27A, 28A, 29A and 30A.
Zone 4. Tables 31 through 49.

5. Section 15, paragraph (b) is hereby redesignated paragraph (c) and is amended by adding at the end thereof tables 31 through 49 and a new paragraph (b) is added to read as follows:

(b) *Tolerances.* The prices in tables 31 through 49 apply *only* to veneers manufactured in Zone 4 to the following thickness tolerances:

| Decimal | Fractional | Tolerance |
|---|---|---|
| | | *Plus or minus* |
| 0.0156" and thinner | $\frac{1}{64}$" | 0.001" |
| 0.157" to 0.032" | $\frac{1}{32}$" to $\frac{3}{32}$" | .002" |
| 0.033" to 0.063" | $\frac{1}{29}$" to $\frac{1}{16}$" | .003" |
| 0.064" to 0.097" | $\frac{1}{15}$" to $\frac{3}{32}$" | .004" |
| 0.098" to 0.134" | $\frac{1}{10}$" to $\frac{1}{8}$" | .005" |
| 0.135" to 0.161" | $\frac{1}{7}$" to $\frac{5}{32}$" | .006" |
| 0.162" to 0.180" | $\frac{1}{6}$" to $\frac{11}{64}$" | .007" |
| 0.181" to 0.211" | $\frac{3}{16}$" to $\frac{13}{64}$" | .008" |
| 0.212" to 0.242" | $\frac{7}{32}$" to $\frac{15}{64}$" | .009" |
| 0.243" to 0.250" | $\frac{1}{4}$" | .010" |

TABLE 31—NO. 1 SHEET STOCK AND NO. 1 SHEET STOCK CUT TO LENGTH [1]

ROTARY CUT BIRCH AND HARD MAPLE MANUFACTURED IN ZONE 4

| Thickness (Inches) | | No. 1 sheet stock | No. 1 sheet stock cut to specified lengths | | | | | |
|---|---|---|---|---|---|---|---|---|
| Decimal | Approximate fraction | 75% of lengths 86" and longer | Up to 62" incl. | Over 62" to 74" incl. | Over 74" to 86" incl. | Over 86" to 98" incl. | Over 98" to 110" incl. | Over 110" |
| 0.016 and thinner | $\frac{1}{64}$ | $10.20 | $9.25 | $10.20 | $11.10 | $12.05 | $12.95 | $13.90 |
| 0.020, 0.021 | $\frac{1}{50}$ | 10.85 | 9.85 | 10.85 | 11.80 | 12.80 | 13.80 | 14.80 |
| 0.022 | $\frac{1}{45}$ | 11.20 | 10.20 | 11.20 | 12.25 | 13.25 | 14.30 | 15.30 |
| 0.028 | $\frac{1}{36}$ | 11.75 | 10.70 | 11.75 | 12.85 | 13.90 | 15.00 | 16.05 |
| 0.030 | $\frac{1}{33}$ | 12.15 | 11.05 | 12.15 | 13.25 | 14.35 | 15.45 | 16.60 |
| 0.031, 0.032 | $\frac{1}{32}$ | 12.30 | 11.20 | 12.30 | 13.45 | 14.55 | 15.70 | 16.80 |
| 0.034 | $\frac{1}{29}$ | 13.05 | 11.85 | 13.05 | 14.20 | 15.40 | 16.60 | 17.80 |
| 0.036 | $\frac{1}{28}$ | 13.40 | 12.20 | 13.40 | 14.65 | 15.85 | 17.10 | 18.30 |
| 0.040 | $\frac{1}{25}$ | 14.05 | 12.75 | 14.05 | 15.30 | 16.60 | 17.85 | 19.15 |
| 0.042, 0.043 | $\frac{1}{24}$ | 14.45 | 13.15 | 14.45 | 15.80 | 17.10 | 18.40 | 19.75 |
| 0.047, 0.048 | $\frac{1}{21}$ | 15.35 | 13.95 | 15.35 | 16.75 | 18.15 | 19.55 | 20.95 |
| 0.050 | $\frac{1}{20}$ | 15.75 | 14.30 | 15.75 | 17.15 | 18.60 | 20.00 | 21.45 |
| 0.056 | $\frac{1}{18}$ | 17.10 | 15.55 | 17.10 | 18.65 | 20.20 | 21.75 | 23.35 |
| 0.060, 0.061 | $\frac{1}{17}$ | 18.15 | 16.50 | 18.15 | 19.80 | 21.45 | 23.10 | 24.75 |

See footnotes at end of table.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F. R. 6530, 7079.

TABLE 31—No. 1 SHEET STOCK AND No. 1 SHEET STOCK CUT TO LENGTH [1]—Continued

ROTARY CUT BIRCH AND HARD MAPLE MANUFACTURED IN ZONE 4

| Thickness (Inches) | | No. 1 sheet stock | No. 1 sheet stock cut to specified lengths | | | | | |
|---|---|---|---|---|---|---|---|---|
| Decimal | Approximate fraction | 75% of lengths 86" and longer | Up to 62" incl. | Over 62" to 74" incl. | Over 74" to 86" incl. | Over 86" to 98" incl. | Over 98" to 110" incl. | Over 110" |
| 0.063, 0.064 | 1/16 | $18.60 | $16.90 | $18.60 | $20.30 | $21.95 | $23.65 | $25.35 |
| 0.066, 0.067, 0.068 | 1/16 | 19.80 | 18.00 | 19.80 | 21.60 | 23.40 | 25.20 | 27.00 |
| 0.071 | 1/14 | 21.30 | 19.35 | 21.30 | 23.20 | 25.15 | 27.10 | 29.00 |
| 0.079, 0.080 | 1/12 | 24.35 | 22.15 | 24.35 | 26.60 | 28.80 | 31.00 | 33.25 |
| 0.083 | 1/12 | 26.25 | 23.85 | 26.25 | 28.60 | 31.00 | 33.40 | 35.80 |
| 0.086, 0.088 | | 27.50 | 25.00 | 27.50 | 30.00 | 32.50 | 35.00 | 37.50 |
| 0.094, 0.095 | 3/32 | 30.20 | 27.45 | 30.20 | 32.95 | 35.70 | 38.45 | 41.20 |
| 0.100, 0.104 | 1/10 | 32.50 | 29.55 | 32.50 | 35.45 | 38.40 | 41.35 | 44.30 |
| 0.111 | 1/9 | 36.90 | 33.55 | 36.90 | 40.25 | 43.60 | 47.00 | 50.30 |
| 0.125 | 1/8 | 42.80 | 38.90 | 42.80 | 46.70 | 50.55 | 54.45 | 58.35 |

Select No. 1 sheet stock (sheets of any thickness, graded the same as the No. 1 sheet stock except that it shall be selected as to color) add 30% to above prices.

Selected sheet stock (graded the same as No. 1 sheet stock except that each sheet shall be clear face, unselected for color) add 30% to above prices.

[1] *No. 1 sheet stock in all thicknesses:* unselected for color and in random widths to be 6" to 38" wide, 50% 11" and wider; to be 42" and longer, with 75% 86" and longer. Each sheet to grade 75% clear face cutting and each cutting to be either full length or full width of the sheet. No cutting considered less than 6" wide or 21" long.

*No. 1 sheet stock cut to length:* Graded the same as No. 1 sheet stock except that all pieces are cut to specified lengths.

TABLE 32—No. 1 SHEET STOCK AND No. 1 SHEET STOCK CUT TO LENGTH [1]

ROTARY CUT SOFT MAPLE MANUFACTURED IN ZONE 4

| Thickness (Inches) | | No. 1 sheet stock | No. 1 sheet stock cut to specified lengths | | | |
|---|---|---|---|---|---|---|
| Decima | Fractional | 75% of lengths 86" and longer | Up to 62" incl. | Over 62" to 74" incl. | Over 74" to 86" incl. | Over 86" to 98" incl. |
| 0.036 | 1/28 | $13.20 | $12.20 | $13.20 | $14.60 | $15.10 |
| 0.042 | 1/24 | 13.50 | 12.80 | 13.50 | 14.90 | 15.60 |
| 0.050 | 1/20 | 14.70 | 13.70 | 14.70 | 16.10 | 17.70 |
| 0.063 | 1/16 | 17.00 | 16.00 | 17.00 | 18.70 | 19.60 |
| 0.083 | 1/12 | 26.25 | 24.70 | 26.25 | 28.90 | 30.50 |
| 0.100 | 1/10 | 27.70 | 25.60 | 27.70 | 30.40 | 31.50 |
| 0.125 | 1/8 | 31.30 | 29.20 | 31.30 | 34.60 | 36.20 |
| 0.142 | 1/7 | 36.30 | 33.70 | 36.30 | 40.20 | 43.10 |
| 0.156 | 5/32 | 38.50 | 35.80 | 38.50 | 42.20 | 44.10 |
| 0.166 | 1/6 | 41.70 | 38.60 | 41.70 | 46.20 | 48.20 |
| 0.188 | 3/16 | 46.90 | 43.50 | 46.90 | 51.50 | 53.80 |
| 0.219 | 7/32 | 54.60 | 50.70 | 54.60 | 60.30 | 62.90 |
| 0.250 | 1/4 | 61.10 | 56.70 | 61.10 | 67.30 | 70.30 |

Select No. 1 sheet stock (sheets of any thickness, graded the same as the No. 1 sheet stock except that it shall be selected as to color) add 30% to above prices.

Selected sheet stock (graded the same as No. 1 sheet stock except that each sheet shall be clear face, unselected for color) add 30% to above prices.

[1] *No. 1 sheet stock in all thicknesses:* unselected for color and in random widths to be 6" to 38" wide, 50% 11" and wider; to be 42" and longer, with 75% 86" and longer. Each sheet to grade 75% clear face cutting and each cutting to be either full length or full width of the sheet. No cutting considered less than 6" wide or 21" long.

*No. 1 sheet stock cut to length:* Graded the same as No. 1 sheet stock except that all pieces are cut to specified lengths.

TABLE 33—No. 1 SHEET STOCK AND No. 1 SHEET STOCK CUT TO LENGTH [1]

ROTARY CUT ASH MANUFACTURED IN ZONE 4

| Thickness (Inches) | | No. 1 sheet stock | No. 1 sheet stock cut to specified lengths | | | |
|---|---|---|---|---|---|---|
| Decimal | Fractional | 75% of lengths 86" and longer | Up to 62" incl. | Over 62" to 74" incl. | Over 74" to 86" incl. | Over 86" to 98" incl. |
| 0.022 | 1/45 | $12.60 | $11.30 | $12.60 | $13.70 | $14.30 |
| 0.036 | 1/28 | 14.30 | 12.70 | 14.30 | 15.80 | 16.40 |
| 0.042 | 1/24 | 14.80 | 13.60 | 14.80 | 16.40 | 17.30 |
| 0.050 | 1/20 | 15.80 | 14.20 | 15.80 | 17.30 | 19.50 |
| 0.063 | 1/16 | 19.00 | 17.20 | 19.00 | 20.80 | 21.80 |
| 0.083 | 1/12 | 30.00 | 27.10 | 30.00 | 32.80 | 34.60 |
| 0.100 | 1/10 | 31.50 | 28.20 | 31.50 | 34.60 | 36.00 |
| 0.125 | 1/8 | 35.90 | 32.40 | 35.90 | 39.60 | 41.50 |
| 0.142 | 1/7 | 41.60 | 37.40 | 41.60 | 46.10 | 49.40 |
| 0.156 | 5/32 | 44.30 | 39.80 | 44.30 | 48.50 | 50.60 |
| 0.166 | 1/6 | 48.40 | 43.30 | 48.40 | 53.60 | 55.70 |
| 0.188 | 3/16 | 55.00 | 49.60 | 55.00 | 60.40 | 61.30 |
| 0.219 | 7/32 | 64.20 | 57.60 | 64.20 | 60.80 | 71.80 |
| 0.250 | 1/4 | 72.00 | 64.60 | 72.00 | 76.90 | 80.30 |

Select No. 1 sheet stock (sheets of any thickness, graded the same as the No. 1 sheet stock except that it shall be selected as to color) add 30% to above prices.

Selected sheet stock (graded the same as No. 1 sheet stock except that each sheet shall be clear face, unselected for color) add 30% to above prices.

[1] *No. 1 sheet stock in all thicknesses:* unselected for color and in random widths to be 6" to 38" wide, 50% 11" and wider; to be 42" and longer, with 75% 86" and longer. Each sheet to grade 75% clear face cutting and each cutting to be either full length or full width of the sheet. No cutting considered less than 6" wide or 21" long.

*No. 1 sheet stock cut to length:* Graded the same as No. 1 sheet stock except that all pieces are cut to specified lengths.

TABLE 34—No. 1 GRADE (FACES) UNSELECTED FOR COLOR. ONE PIECE STOCK PER NATIONAL HARDWOOD LUMBER ASSOCIATION CURRENT RULES

ROTARY CUT BIRCH, HARD MAPLE, AND ASH MANUFACTURED IN ZONE 4

| Widths | Thickness | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | 1/28" 0.036 | 1/24" 0.042 | 1/20" 0.050 | 1/16" 0.063 | 1/12" 0.083 | 1/8" 0.125 | 1/7" 0.142 | 1/6" 0.166 | 3/16" 0.188 |
| Up to and including 50" long: | | | | | | | | | |
| 13" and under | $14.60 | $15.80 | $16.10 | $19.00 | $30.40 | $35.90 | $41.60 | $48.40 | $55.30 |
| Over 13" to 20", incl | 20.30 | 21.50 | 22.70 | 24.70 | 38.20 | 48.40 | 55.50 | 64.40 | 72.70 |
| Over 20" to 30", incl | 26.30 | 26.90 | 27.50 | 31.10 | 48.10 | 66.00 | 75.30 | 86.70 | 98.90 |
| Over 30" to 40", incl | 27.60 | 28.70 | 29.30 | 32.80 | 50.30 | 67.90 | 77.60 | 88.20 | 100.50 |
| Over 50" to 74" long, incl.: | | | | | | | | | |
| 13" and under | 24.60 | 25.10 | 26.30 | 29.00 | 46.10 | 62.50 | 71.10 | 83.00 | 93.20 |
| Over 13" to 22", incl | 29.30 | 30.60 | 31.10 | 35.70 | 59.20 | 73.00 | 83.10 | 97.00 | 109.50 |
| Over 22" to 30", incl | 37.50 | 38.40 | 39.20 | 44.30 | 71.30 | 86.80 | 99.10 | 113.10 | 130.60 |
| Over 30" to 40", incl | 40.80 | 42.00 | 42.80 | 46.80 | 74.90 | 90.50 | 102.70 | 116.60 | 134.30 |

TABLE 35—No. 1 GRADE (FACES) UNSELECTED FOR COLOR, ONE PIECE STOCK PER NATIONAL HARDWOOD LUMBER ASSOCIATION CURRENT RULES

ROTARY CUT SOFT MAPLE MANUFACTURED IN ZONE 4

| Widths (Inches) | Thickness | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | 1/28" 0.036 | 1/24" 0.042 | 1/20" 0.050 | 1/16" 0.063 | 1/12" 0.083 | 1/8" 0.125 | 1/7" 0.142 | 1/6" 0.166 | 3/16" 0.188 |
| Up to and including 50" long: | | | | | | | | | |
| 13" and under | $13.40 | $14.50 | $14.80 | $17.50 | $28.00 | $33.00 | $38.20 | $44.50 | $50.80 |
| Over 13" to 20", incl | 18.70 | 19.80 | 20.90 | 22.70 | 35.10 | 44.50 | 51.00 | 59.20 | 66.90 |
| Over 20" to 30", incl | 24.20 | 24.70 | 25.30 | 28.60 | 44.20 | 60.70 | 69.30 | 79.70 | 91.00 |
| Over 30" to 40", incl | 25.40 | 26.40 | 27.00 | 30.20 | 46.20 | 62.40 | 71.30 | 81.10 | 92.40 |
| Over 50" to 74" long, incl.: | | | | | | | | | |
| 13" and under | 22.60 | 23.10 | 24.20 | 26.60 | 42.40 | 57.50 | 65.30 | 76.30 | 85.70 |
| Over 13" to 22", incl | 26.90 | 28.10 | 28.60 | 32.80 | 54.50 | 67.10 | 76.40 | 89.20 | 100.70 |
| Over 22" to 30", incl | 34.50 | 35.30 | 36.10 | 40.80 | 65.60 | 79.90 | 91.20 | 104.00 | 120.10 |
| Over 30" to 40", incl | 37.50 | 38.70 | 39.40 | 43.00 | 68.90 | 83.30 | 94.50 | 107.20 | 123.50 |

TABLE 36—No. 1 GRADE (FACES) SELECTED FOR COLOR ONE-PIECE STOCK PER NATIONAL HARDWOOD LUMBER ASSOCIATION CURRENT RULES

ROTARY CUT BIRCH, HARD MAPLE, AND ASH MANUFACTURED IN ZONE 4

| Widths | Thickness | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | 1/28" 0.036 | 1/24" 0.042 | 1/20" 0.050 | 1/16" 0.063 | 1/12" 0.083 | 1/8" 0.125 | 1/7" 0.142 | 1/6" 0.166 | 3/16" 0.188 |
| Up to and including 50" long: | | | | | | | | | |
| 13" and under wide | $22.40 | $24.10 | $24.70 | $29.10 | $46.50 | $54.90 | $63.50 | $74.10 | $84.40 |
| Over 13" to 20", incl | 31.10 | 32.90 | 34.70 | 37.70 | 58.30 | 73.90 | 84.70 | 98.40 | 111.20 |
| Over 20" to 30", incl | 40.20 | 41.10 | 42.20 | 47.50 | 73.60 | 100.90 | 115.00 | 132.40 | 151.20 |
| Over 30" to 40", incl | 42.20 | 43.80 | 44.80 | 50.20 | 76.80 | 103.70 | 118.30 | 134.50 | 153.30 |
| Over 50" to 74" long, incl.: | | | | | | | | | |
| 13" and under wide | 37.60 | 38.30 | 40.20 | 44.20 | 70.30 | 95.60 | 108.50 | 126.90 | 142.40 |
| Over 13" to 22", incl | 44.80 | 46.70 | 47.50 | 54.30 | 90.50 | 111.50 | 127.00 | 148.10 | 167.20 |
| Over 22" to 30", incl | 57.20 | 58.50 | 59.90 | 67.60 | 108.80 | 132.60 | 151.30 | 172.60 | 199.30 |
| Over 30" to 40", incl | 62.10 | 63.90 | 65.40 | 73.20 | 114.30 | 138.20 | 156.80 | 178.00 | 204.80 |

TABLE 37—No. 2 GRADE (SOUND BACKS, CROSSBANDING, CENTER STOCK AND DRAWER BOTTOMS) PER NATIONAL HARDWOOD LUMBER ASSOCIATION CURRENT RULES

ROTARY CUT BIRCH, HARD, AND SOFT MAPLE, AND ASH MANUFACTURED IN ZONE 4

| Thickness (inches) | | Whole and piece stock combined | All one piece stock | Thickness (inches) | | Whole and piece stock combined | All one piece stock |
|---|---|---|---|---|---|---|---|
| Decimal | Fractional | | | Decimal | Fractional | | |
| 0.022 | 1/45 | $10.20 | $13.10 | 0.100 | 1/10 | $25.60 | $32.90 |
| 0.036 | 1/28 | 11.60 | 15.00 | 0.125 | 1/8 | 29.30 | 37.80 |
| 0.042 | 1/24 | 12.20 | 15.80 | 0.166 | 5/32 | 39.50 | 50.80 |
| 0.050 | 1/20 | 12.50 | 16.00 | 0.188 | 3/16 | 44.80 | 57.60 |
| 0.063 | 1/16 | 14.90 | 19.10 | 0.219 | 7/32 | 52.30 | 67.30 |
| 0.083 | 3/12 | 24.50 | 31.50 | 0.250 | 1/4 | 58.70 | 75.60 |

TABLE 38—DOOR FACE STOCK

ROTARY CUT BIRCH, HARD MAPLE, AND ASH MANUFACTURED IN ZONE 4

| Description and width | Length (inches) | Thickness | | |
|---|---|---|---|---|
| | | 1/16" 0.063 | 3/32" 0.083 | 1/8" 0.125 |
| Unselected for color: | | | | |
| Stiles 7" and under | Over 74 | | $41.80 | $52.00 |
| Rails 10" and under | Up to 30 | | 18.90 | 23.40 |
| Rails over 10" up to 13" | Up to 30 | | 28.90 | 35.90 |
| Muntins 7" and under | Up to 74 | | 34.60 | 43.20 |
| Flush door sizes 1, 2, and 3 piece stock | | $43.50 | 55.40 | 69.70 |

Selected red or white birch, add 30 percent to above prices.

TABLE 39—STOCK PANEL SIZES UP TO 38" WIDE

ROTARY CUT BIRCH, HARD AND SOFT MAPLE, AND ASH MANUFACTURED IN ZONE 4

1, 2, 3 and 4 Piece Stock as the Logs Produce—No Cutting Under 9" Wide

| Lengths | Faces | | Backs | | Lengths | Faces | | Backs | |
|---|---|---|---|---|---|---|---|---|---|
| | 1/20" 0.050 | 1/16" 0.063 | 1/20" 0.050 | 1/16" 0.063 | | 1/20" 0.050 | 1/16" 0.063 | 1/20" 0.050 | 1/16" 0.063 |
| Up to and including 50" | $16.40 | $19.90 | $7.50 | $9.20 | Over 62" to 92", incl | $23.50 | $28.10 | $11.10 | $19.90 |
| Over 50" to 62", incl | 19.90 | 23.40 | 9.30 | 11.60 | Over 92" | 27.00 | 32.40 | 12.80 | 22.90 |

TABLE 40—OPERA CHAIR SEATING, 28" AND SHORTER

ROTARY CUT BIRCH, HARD MAPLE, ASH MANUFACTURED IN ZONE 4

| Widths | Faces | | | | Centers and crossbands | | | |
|---|---|---|---|---|---|---|---|---|
| | 1/20" 0.050 | 1/16" 0.063 | 1/8" 0.125 | 3/16" 0.188 | 1/20" 0.050 | 1/16" 0.063 | 1/8" 0.125 | 3/16" 0.188 |
| 16" and under | $22.10 | $24.30 | $47.00 | $80.20 | $15.50 | $17.60 | $31.40 | $51.90 |
| Over 16" to 20", incl | 22.10 | 24.30 | 47.00 | 65.80 | 15.50 | 17.60 | 31.40 | 51.90 |
| Over 20" to 24", incl | 22.10 | 24.30 | 47.00 | 75.80 | 15.50 | 17.60 | 31.40 | 51.90 |
| Over 24" to 28", incl | 22.10 | 24.30 | 47.00 | 86.60 | 15.50 | 17.60 | 31.40 | 51.90 |

TABLE 41—HARD MAPLE PIANO PIN PLANK FACES

MANUFACTURED IN ZONE 4

| Description | Thickness | | |
|---|---|---|---|
| | 1/8" 0.125 | 3/16" 0.188 | 1/4" 0.250 |
| Straights one piece, up to 14" wide, up to 62" long | $62.20 | $75.80 | $110.40 |
| Crossings 50 percent one piece, balance 2, 3, and 4 piece up to 62" wide, up to 14" long | 59.90 | 73.00 | 106.30 |

TABLE 42—No. 1 SHEET STOCK AND No. 1 SHEET STOCK CUT TO LENGTH[1]

ROTARY CUT BASSWOOD AND BEECH MANUFACTURED IN ZONE 4

| Thickness (inches) | | No. 1 sheet stock | No. 1 sheet stock cut to specified lengths | | | |
|---|---|---|---|---|---|---|
| Decimal | Fractional | 75 percent of lengths 82" and longer | Up to 76" incl. | Over 76" to 86" incl. | Over 86" to 98" incl. | Over 98" to 108" incl. |
| 0.036 | 1/28 | $11.80 | $11.80 | $13.00 | $13.60 | $15.00 |
| 0.042 | 1/24 | 12.00 | 12.00 | 13.30 | 13.90 | 15.30 |
| 0.050 | 1/20 | 13.40 | 13.40 | 14.70 | 15.40 | 17.00 |
| 0.063 | 1/16 | 14.70 | 14.70 | 16.20 | 16.90 | 18.60 |
| 0.083 | 3/12 | 21.60 | 21.60 | 23.80 | 25.00 | 27.50 |
| 0.100 | 1/10 | 23.50 | 23.50 | 25.90 | 27.10 | 29.70 |
| 0.125 | 1/8 | 25.10 | 25.10 | 27.70 | 28.90 | 32.00 |
| 0.142 | 1/7 | 28.80 | 28.80 | 31.80 | 33.20 | 36.70 |
| 0.156 | 5/32 | 30.60 | 30.60 | 33.80 | 35.40 | 39.00 |
| 0.166 | 1/6 | 33.70 | 33.70 | 37.00 | 38.80 | 42.70 |
| 0.188 | 3/16 | 35.60 | 35.60 | 39.20 | 41.10 | 45.40 |
| 0.250 | 1/4 | 46.30 | 46.30 | 51.10 | 53.40 | 59.00 |

Select No. 1 sheet stock (sheets of any thickness, graded the same as the No. 1 sheet stock except that it shall be selected as to color) add 30 percent to above prices.

Selected sheet stock (graded the same as No. 1 sheet stock except that each sheet shall be clear face, unselected for color) add 30 percent to above prices.

[1] *No. 1 sheet stock in all thicknesses:* unselected for color and in random widths to be 6" to 38" wide, 50 percent 11" and wider; to be 42" and longer, with 75 percent 82" and longer. Each sheet to grade 75 percent clear face cutting and each cutting to be either full length or full width of the sheet. No cutting considered less than 6" wide or 21" long.
*No. 1 sheet stock cut to length:* Graded the same as No. 1 sheet stock except that all pieces are cut to specified lengths.

TABLE 43—No. 1 GRADE (FACES) UNSELECTED FOR COLOR, ONE PIECE STOCK FOR NATIONAL HARDWOOD LUMBER ASSOCIATION CURRENT RULES

ROTARY CUT BASSWOOD AND BEECH MANUFACTURED IN ZONE 4

| Widths | Thickness | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | 1/28" 0.036 | 1/24" 0.042 | 1/20" 0.050 | 1/16" 0.063 | 3/12" 0.083 | 1/8" 0.125 | 1/7" 0.142 | 1/6" 0.166 | 3/16" 0.188 |
| Up to and including 50" long: | | | | | | | | | |
| 13" and under | $11.70 | $12.60 | $13.00 | $15.20 | $24.30 | $28.70 | $33.20 | $38.70 | $44.20 |
| Over 13" to 20", incl | 16.30 | 17.20 | 18.20 | 19.80 | 30.50 | 38.70 | 44.40 | 51.40 | 58.20 |
| Over 20" to 30", incl | 21.10 | 21.60 | 22.00 | 25.00 | 38.60 | 52.90 | 59.90 | 69.40 | 79.20 |
| Over 30" to 40", incl | 22.10 | 23.00 | 23.40 | 26.30 | 40.30 | 54.40 | 62.10 | 70.60 | 80.40 |
| Over 50" to 74" long, incl: | | | | | | | | | |
| 13" and under | 19.70 | 20.10 | 21.00 | 23.20 | 36.90 | 50.10 | 56.90 | 66.50 | 74.70 |
| Over 13" to 22", incl | 23.50 | 24.50 | 25.00 | 28.50 | 47.50 | 58.40 | 66.60 | 77.70 | 87.70 |
| Over 22" to 30", incl | 30.00 | 30.70 | 31.40 | 35.50 | 57.10 | 69.60 | 79.40 | 90.60 | 104.50 |
| Over 30" to 40", incl | 32.70 | 33.70 | 34.40 | 38.50 | 60.10 | 72.50 | 82.30 | 93.40 | 107.40 |

TABLE 44—No. 1 GRADE (FACES) SELECTED FOR COLOR. ONE PIECE STOCK PER NATIONAL HARDWOOD LUMBER ASSOCIATION CURRENT RULES

ROTARY CUT BASSWOOD AND BEECH MANUFACTURED IN ZONE 4

| Widths | Thickness | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | 1/28" 0.036 | 1/24" 0.042 | 1/20" 0.050 | 1/16" 0.063 | 1/12" 0.083 | 1/8" 0.125 | 7/64" 0.142 | 1/6" 0.166 | 3/16" 0.188 |
| Up to and including 50" long: | | | | | | | | | |
| 13" and under | $17.80 | $19.30 | $19.80 | $23.30 | $37.10 | $43.90 | $50.70 | $59.20 | $67.50 |
| Over 13" to 20", incl | 24.90 | 26.30 | 27.70 | 30.20 | 46.60 | 59.10 | 67.60 | 78.40 | 88.70 |
| Over 20" to 30", incl | 32.10 | 32.90 | 33.70 | 38.00 | 58.90 | 80.60 | 91.30 | 105.70 | 120.80 |
| Over 30" to 40", incl | 33.70 | 35.00 | 35.70 | 40.20 | 61.50 | 82.70 | 94.70 | 107.60 | 122.60 |
| Over 50" to 74" long, incl.: | | | | | | | | | |
| 13" and under | 29.90 | 30.60 | 32.10 | 35.20 | 56.20 | 76.40 | 86.70 | 101.40 | 113.90 |
| Over 13" to 22", incl | 35.80 | 37.40 | 38.10 | 43.40 | 72.30 | 88.70 | 101.50 | 118.40 | 133.60 |
| Over 22" to 30", incl | 45.80 | 46.70 | 47.80 | 54.10 | 86.90 | 105.90 | 120.90 | 137.80 | 159.10 |
| Over 30" to 40", incl | 49.70 | 51.20 | 52.40 | 58.60 | 91.40 | 110.50 | 124.80 | 142.20 | 163.50 |

TABLE 45—No. 2 GRADE (SOUND BACKS, CROSSBANDING, CENTER STOCK, AND DRAWER BOTTOMS) PER NATIONAL HARDWOOD LUMBER ASSOCIATION CURRENT RULES

ROTARY CUT BASSWOOD AND BEECH MANUFACTURED IN ZONE 4

| Thickness (Inches) | | Whole and piece stock combined | All one piece stock | Thickness (Inches) | | Whole and piece stock combined | All one piece stock |
|---|---|---|---|---|---|---|---|
| Decimal | Fractional (inch) | | | Decimal | Fractional (inch) | | |
| 0.036 | 1/28 | $13.50 | $16.80 | 0.125 | 1/8 | $28.90 | $35.90 |
| 0.042 | 1/24 | 13.70 | 17.00 | 0.142 | 7/64 | 32.80 | 39.50 |
| 0.050 | 1/20 | 15.30 | 19.10 | 0.156 | 5/32 | 35.10 | 43.60 |
| 0.063 | 1/16 | 16.50 | 20.50 | 0.166 | 1/6 | 38.20 | 45.90 |
| 0.083 | 1/12 | 25.20 | 31.30 | 0.188 | 3/16 | 41.50 | 51.50 |
| 0.100 | 1/10 | 27.10 | 32.60 | 0.250 | 1/4 | 54.40 | 67.50 |

TABLE 46—No. 1 SHEET STOCK AND No. 1 SHEET STOCK CUT TO LENGTH[1]

ROTARY CUT SOFT ELM MANUFACTURED IN ZONE 4

| Thickness (Inches) | | No. 1 sheet stock | No. 1 sheet stock cut to specified lengths | | | |
|---|---|---|---|---|---|---|
| Decimal | Fractional (inch) | 75 percent of lengths 86" and longer | Up to 62", incl. | Over 62" to 74", incl. | Over 74" to 86", incl. | Over 86" to 98", incl. |
| 0.022 | 1/48 | $9.70 | $9.20 | $9.70 | $10.60 | $11.10 |
| 0.036 | 1/28 | 11.00 | 10.30 | 11.00 | 12.20 | 12.70 |
| 0.042 | 1/24 | 11.30 | 10.70 | 11.30 | 12.40 | 13.10 |
| 0.050 | 1/20 | 12.30 | 11.60 | 12.30 | 13.50 | 14.70 |
| 0.063 | 1/16 | 14.20 | 13.40 | 14.20 | 15.60 | 16.40 |
| 0.083 | 1/12 | 21.90 | 20.60 | 21.90 | 24.00 | 25.30 |
| 0.100 | 1/10 | 22.80 | 21.30 | 22.80 | 25.20 | 26.20 |
| 0.125 | 1/8 | 26.00 | 24.30 | 26.00 | 28.70 | 30.00 |
| 0.142 | 1/7 | 30.00 | 28.10 | 30.00 | 33.30 | 35.70 |
| 0.156 | 5/32 | 31.80 | 29.80 | 31.80 | 34.90 | 36.50 |
| 0.166 | 1/6 | 34.40 | 32.00 | 34.40 | 38.20 | 39.60 |
| 0.188 | 3/16 | 38.60 | 36.10 | 38.60 | 42.40 | 44.30 |
| 0.219 | 7/32 | 45.00 | 42.00 | 45.00 | 49.60 | 51.80 |
| 0.250 | 1/4 | 50.40 | 47.00 | 50.40 | 55.40 | 57.90 |

Select No. 1 sheet stock (sheets of any thickness, graded the same as the No. 1 sheet stock except that it shall be selected as to color) add 30 percent to above prices.

Selected sheet stock (graded the same as No. 1 sheet stock except that each sheet shall be clear face, unselected for color) add 30 percent to above prices.

[1] *No 1 sheet stock in all thicknesses:* unselected for color and in random widths to be 6" to 38" wide, 50 percent 11" and wider; to be 42" and longer, with 75 percent 86" and longer. Each sheet to grade 75 percent clear face cutting and each cutting to be either full length or full width of the sheet. No cutting considered less than 6" wide or 21" long

*No. 1 sheet stock cut to length:* Graded the same as No. 1 sheet stock except that all pieces are cut to specified lengths.

TABLE 47—No. 1 GRADE (FACES) UNSELECTED FOR COLOR. ONE PIECE STOCK PER NATIONAL HARDWOOD LUMBER ASSOCIATION CURRENT RULES

ROTARY CUT SOFT ELM MANUFACTURED IN ZONE 4

| Widths | Thickness | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | 1/28" 0.036 | 1/24" 0.042 | 1/20" 0.050 | 1/16" 0.063 | 1/12" 0.083 | 1/8" 0.125 | 1/4" 0.142 | 1/6" 0.166 | 3/16" 0.188 |
| Up to and including 50" long: | | | | | | | | | |
| 13" and under | $11.10 | $12.20 | $12.40 | $14.60 | $23.40 | $27.60 | $32.00 | $37.20 | $42.50 |
| Over 13" to 20", incl | 15.60 | 16.60 | 17.40 | 19.00 | 29.40 | 37.20 | 42.70 | 49.50 | 56.00 |
| Over 20" to 30", incl | 20.30 | 20.70 | 21.20 | 23.90 | 37.00 | 50.80 | 58.00 | 66.70 | 76.10 |
| Over 30" to 40", incl | 21.20 | 22.10 | 22.60 | 25.30 | 38.70 | 52.20 | 59.70 | 67.90 | 77.30 |
| Over 50" to 74" long, incl: | | | | | | | | | |
| 13" and under | 18.90 | 19.30 | 20.20 | 22.30 | 35.50 | 48.10 | 54.70 | 63.90 | 71.70 |
| Over 13" to 22", incl | 22.50 | 23.50 | 23.90 | 27.40 | 45.60 | 56.20 | 64.00 | 74.60 | 84.20 |
| Over 22" to 30", incl | 28.90 | 29.50 | 30.20 | 34.10 | 54.90 | 66.80 | 76.30 | 87.10 | 100.50 |
| Over 30" to 40", incl | 31.40 | 32.30 | 33.00 | 36.10 | 57.70 | 69.70 | 79.10 | 89.70 | 103.30 |

TABLE 48—No. 2 GRADE (SOUND BACKS, CROSSBANDING, CENTER STOCK, AND DRAWER BOTTOMS) PER NATIONAL HARDWOOD LUMBER ASSOCIATION CURRENT RULES

ROTARY CUT SOFT ELM MANUFACTURED IN ZONE 4

| Thickness (Inches) | | Whole and piece stock combined | All one piece stock | Thickness (Inches) | | Whole and piece stock combined | All one piece stock |
|---|---|---|---|---|---|---|---|
| Decimal | Fractional | | | Decimal | Fractional | | |
| 0.022 | 1/48 | $9.30 | $11.90 | 0.100 | 1/10 | $21.80 | $28.00 |
| 0.036 | 1/28 | 10.60 | 13.70 | 0.125 | 1/8 | 24.60 | 31.70 |
| 0.042 | 1/24 | 10.90 | 14.00 | 0.166 | 1/6 | 32.80 | 42.20 |
| 0.050 | 1/20 | 11.70 | 15.00 | 0.188 | 3/16 | 36.60 | 47.20 |
| 0.063 | 1/16 | 13.20 | 17.00 | 0.219 | 7/32 | 42.80 | 55.10 |
| 0.083 | 1/12 | 21.00 | 27.00 | 0.250 | 1/4 | 48.00 | 61.90 |

TABLE 49—STOCK PANEL SIZES (UP TO 38" WIDE)

ROTARY CUT SOFT ELM MANUFACTURED IN ZONE 4

1, 2, 3, and 4 piece stock as logs produce—no cutting under 9" wide

| Lengths | Faces | | Backs | | Lengths | Faces | | Backs | |
|---|---|---|---|---|---|---|---|---|---|
| | 1/20" 0.050 | 1/16" 0.063 | 1/20" 0.050 | 1/16" 0.063 | | 1/20" 0.050 | 1/16" 0.063 | 1/20" 0.050 | 1/16" 0.063 |
| Up to and including 50" | $14.10 | $17.20 | $6.50 | $8.00 | Over 62" to 92", incl | $20.30 | $24.30 | $9.60 | $17.20 |
| Over 50" to 62", incl | 17.20 | 20.20 | 8.00 | 10.00 | Over 92" | 23.30 | 28.00 | 11.00 | 19.80 |

This amendment shall become effective January 11, 1945.

Issued this 6th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45-526; Filed, Jan. 6, 1945; 11:49 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 45]

### HAND LAUNDRIES IN THE LOUISVILLE, KY., AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 45 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 45 is hereby issued.

*Copies may be obtained from the Office of Price Administration.

§ 1499.678 *Hand laundries in the Louisville, Kentucky area*—(a) *Dollar-and-cents maximum prices established for hand laundry services sold by hand laundries in the Louisville, Kentucky area.* (1) The maximum prices established by Revised Maximum Price Regulation No. 165 for hand laundry services sold by hand laundries in Louisville, Kentucky area are hereby modified and henceforth shall be the prices set forth in Appendix A.

(2) *Definitions.* As used in this Supplementary Service Regulation the term:

"Hand laundry" means a retail laundry establishment receiving and distributing laundry, generally finishing wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery service and employing 8 or less employees.

"Louisville, Kentucky area" means the county of Jefferson in the State of Kentucky.

"Shirts" as used in Appendix A means all shirts except the following: Shirts made of silk, wool, gabardine, rayon and other artificial fibers; full dress shirts. The prices of shirts included within the above exceptions shall be the prices for these items which were filed by the individual laundry with the OPA in accordance with section 14 of RMPR 165. If no such prices have been filed, the maximum price to be charged for all shirts shall be the price established for shirts by Appendix A.

(3) *Posting requirements.* Within 30 days after the issuance of this supplementary service regulation, every hand laundry located in the Louisville, Kentucky area shall post on its premises in a place and manner so that it is plainly visible to the purchasing public, a placard or card setting forth the maximum prices established in Appendix A.

(4) *Elimination of individual adjustments.* On and after the effective date of this Supplementary Service Regulation the provisions of section 16 (a) of Revised Maximum Price Regulation No. 165 shall no longer be available to sellers covered by this regulation. On and after the effective date of this regulation, all surcharges and percentage surcharges made by hand laundries located in the Louisville, Kentucky area shall cease and all precentage adjustments granted by the Office of Price Administration to hand laundries in the Louisville, Kentucky area are hereby revoked.

(5) *Less than maximum prices.* Lower prices than those established by this regulation may be charged.

(6) *Other services supplied by hand laundries.* Laundry services not listed in Appendix A performed by hand laundries shall be governed by Revised Maximum Price Regulation No. 165.

This Supplementary Service Regulation No. 45 shall become effective January 11, 1945.

Issued this 6th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

APPENDIX A

| Laundry service: | Price |
|---|---|
| Shirts | $0.15 |
| Collars | .04 |
| Sheets | .12 |
| Pillow cases | .05 |
| Hand towels | .03 |
| Bath towels | .04 |
| Handkerchiefs | .03 |
| Socks | .05 |
| Undershirts | .10 |
| Shorts | .10 |
| Pajamas | .20 |
| Union suits | .20 |
| Overalls | .30 |
| Coveralls | .45 |
| Overall pants | .25 |
| Overall jacket | .25 |
| Trousers and slacks | .35 |

[F. R. Doc. 45-527; Filed, Jan. 6, 1945; 11:49 a. m.]

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## PART 1305—ADMINISTRATION

[Gen. RO 7,[1] Amdt. 13]

### METHOD OF SURRENDER AND DEPOSIT OF RATION STAMPS AND COUPONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1.3 (a) of General Ration Order No. 7 is amended to read as follows:

(a) Any person who encloses stamps or coupons in a sealed envelope pursuant to section 1.2 must write on the face of the envelope his business name and address, the rationing program under which the stamps or coupons are used (for example, shoes, processed foods), the number and type (letter, number or other designation) of stamps or coupons enclosed, and their individual and total values. (When enclosing processed foods or meats and fats stamps, the number and letter of only the first and last validated stamps enclosed need be shown on the face of the envelope.)

This amendment shall become effective January 8, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-606; Filed, Jan. 8, 1945; 11:41 a. m.]

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## PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, Miami Area,[2] Incl. Amdts. 1-11]

### MIAMI, FLA., AREA

This compilation of Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area includes Amendment 11, effective January 10, 1945. The text added or amended by Amendment 11 is underscored.

§ 1388.1401 *Rent regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area.* The Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area is annexed hereto and made a part hereof.

Sec.

1. Scope of this regulation.
2. Prohibition.
3. Minimum services, furniture, furnishings and equipment.
4. Maximum rents.
5. Adjustments and other determinations.
6. Removal of tenant.
7. Registration and records.
8. Inspection.
9. Evasion.
10. Enforcement.
11. Procedure.
12. Petitions for amendment.
13. Definitions.

AUTHORITY: § 1308.1401 issued under 56 Stat. 23, 765.

SECTION 1. *Scope of this regulation*—(a) *Rooms in hotels and rooming houses in the Miami Defense-Rental Area.* This regulation applies to all rooms in hotels and rooming houses in the Miami Defense-Rental Area, consisting of the County of Dade and the City of Hollywood and the Town of Hallandale in the County of Broward in the State of Florida, except as provided in paragraph (b) of this section. The Miami Defense-Rental Area is referred to hereinafter in this regulation as the "Defense-Rental Area."

(b) *Housing to which this regulation does not apply.* This regulation does not apply to the following:

(1) *Farming tenants.* Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon.

(2) *Service employees.* Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part.

(3) *Charitable or educational institutions.* Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes.

(4) *Entire structure used as hotels or rooming houses.* Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(5) *Non-profit clubs.* Rooms in a bona fide club certified by the Administrator as exempt. The Administrator shall so certify if, on written request of the landlord, he finds that the club (i) is a non-profit organization and is recognized as such by written statement of the Bureau of Internal Revenue, (ii) rents rooms only to members, bona fide guests of members, and members of bona fide clubs with which the club has reciprocal arrangements for the exchange of

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2585, 2997, 4840, 6965, 11738, 16279, 16839; 9 F.R. 2287, 5216, 7704, 9163, 10578.

[2] 8 F.R. 14043.

privileges, and (iii) is otherwise operated as a bona fide club.

(6) *College fraternity or sorority houses.* Rooms in a bona fide college fraternity or sorority house certified by the Administrator as exempt. The Administrator shall so certify if, on written request of the landlord, he finds that the fraternity or sorority is a bona fide organization operated for the benefit of students and not for profit as a commercial or business enterprise. This exemption shall not apply when the rooms are rented to persons who are not members of the fraternity or sorority.

[Subparagraphs (5) and (6) added by Am. 11, effective 1–10–45]

(c) *Effect of this regulation on leases and other rental agreements.* The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this regulation.

(d) *Waiver of benefit void.* An agreement by the tenant to waive the benefit of any provision of this regulation is void. A tenant shall not be entitled by reason of this regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to October 15, 1943.

SEC. 2. *Prohibition*—(a) *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after October 15, 1943 of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

[Paragraph (a) amended by Am. 7, 9 F.R. 10632, effective 9–1–44]

(b) *Terms of occupancy*—(1) *Tenant not required to change term of occupancy.* No tenant shall be required to change his term of occupancy.

(2) *Term of occupancy during September 1943.* Where during September 1943 a room was rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy except that he is not required to rent for that term more than the greatest number of rooms which were rented for the term at any one time during September 1943. However, if, during the year ending on September 30, 1943, a landlord had regular and definite seasonal practices with reference to the renting of rooms on a weekly or monthly basis, he may request the Administrator to approve such practices. When approval is given the landlord shall offer rooms for rent for weekly and monthly terms of occupancy pursuant to the practices so approved. The Administrator may withdraw approval at any time if he finds that the landlord has failed to conform to such practices, or if he finds that the effects of the approval are inconsistent with the Act or this regulation or are likely to result in the circumvention or evasion thereof.

(3) *Request by tenant to change term of occupancy.* Any tenant on a daily or weekly term of occupancy shall on request be permitted by the landlord to change to a weekly or monthly term unless the landlord is then renting for such term a number of rooms equal to the number which he is required to rent for that term under subparagraph (2). If the room occupied by such tenant was not rented or offered for rent for such term during September 1943, the landlord may transfer the tenant to a room, as similar as possible, which was to be rented or offered for rent.

(4) *Monthly term of occupancy in tourist camps, etc.* Where, since October 1, 1942, a room, cabin, or similar accommodations in a tourist camp, cabin camp, auto court or similar establishment has been or is hereafter rented to the same tenant for a continuous period of 60 days or longer on a daily basis, the landlord shall offer such room, cabin or other accommodations for rent for a monthly term of occupancy, regardless of the provisions of subparagraph (2) of this paragraph. The room, cabin or other accommodations shall be offered for rent on a monthly basis for each number of occupants for which it is offered by the landlord for any other term of occupancy. Any tenant of such room, cabin or other accommodations on a daily or weekly basis shall on request be permitted by the landlord to change to a monthly term of occupancy.

[Subparagraph (4) amended by Am. 3, 9 F.R. 5003, effective 5–12–44]

(5) *Weekly and monthly terms of occupancy 50% or less.* A landlord who is required to rent for weekly or monthly terms of occupancy 50% or less of the rooms in an establishment, under subparagraphs (2) and (4) of this paragraph, may petition the Administrator to be relieved of such requirement. Upon issuance of an order granting such petition, the provisions of subparagraphs (2), (3) and (4) of this paragraph no longer shall apply to the rooms in the establishment; but, unless otherwise provided in the order, the maximum rent for a weekly term of occupancy shall apply where, after the date of issuance of the order, a tenant remains in occupancy for a continuous period of more than 10 days, and the maximum rent for a monthly term of occupancy shall apply where, after the date of issuance of the order, a tenant remains in occupancy for a continuous period of more than 30 days, regardless of whether the tenant occupies the same room in the establishment during the specified period. The maximum rent on a weekly or monthly basis, as the case may be, shall apply from the date of issuance of the order or the date on which occupancy commenced, whichever is the later.

If the landlord establishes that it was not his practice, during a reasonable period prior to October 15, 1943, to rent on a weekly basis, the order shall provide only for the application of the maximum monthly rent after thirty days' occupancy pursuant to the foregoing provisions. If the landlord establishes that it was not his practice, during such period, to rent on a monthly basis, the order shall provide only for the application of the maximum weekly rent pursuant to the foregoing provisions.

The order of the Administrator granting the landlord's petition may fix maximum rents for weekly and monthly terms of occupany and for different numbers of occupants for those terms pursuant to section 4 (g). Immediately upon issuance of the order, the landlord shall post maximum rents established for weekly and monthly terms of occupancy in the manner provided by section 7 (b), to the extent that the order requires the application of such rents.

The Administrator may revoke the order at any time if he finds that its effect is inconsistent with the purposes of the act of this regulation or is likely to result in the circumvention or evasion thereof.

[Subparagraph (5) added by Am. 3, 9 F.R. 5003, effective 5–12–44; amended by Am. 10, 9 F.R. 14239, effective 12–2–44]

(6) If the landlord's duty under subparagraph (2), with reference to a room is in dispute, or in doubt, or not known, the Administrator, at any time, on his own initiative may issue an order determining the necessary facts and establishing such duty; or, if the Administrator is unable to ascertain the necessary facts, he may issue an order pursuant to subparagraph (7).

(7) Where subparagraph (2) does not require the offering of a room on a weekly or monthly basis, or where the Administrator is unable to ascertain the facts necessary to establish the landlord's duty under that paragraph, he may at any time on his own initiative issue an order requiring the room to be offered for rent for a weekly or monthly term of occupancy, or both. The Administrator may issue such orders if he finds that, during a reasonable period prior to the time the proceeding hereunder is commenced, the room has been rented under circumstances which make appropriate the application of weekly or monthly rents. In determining whether the landlord shall be required to offer the room on a weekly basis, or on a monthly basis, or both, the Administrator will consider the practices which prevailed in the defense-rental area for similar accommodations during a reasonable period prior to the effective date of regulation.

Upon issuance of such an order, the room shall be offered for rent on a weekly or monthly basis, or both, as the order may require, for each number of occupants, for which it is offered by the landlord for any other term of occupancy. A tenant of the room on a daily or weekly basis shall on request be permitted by the landlord to change to any term of

occupancy which the landlord is required to offer pursuant to the order.

[Subparagraphs (6) and (7) added by Am. 10, 9 F.R. 14239, effective 12-2-44]

(c) *Security deposits*—(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of any room in a hotel or rooming house within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (c). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month.

(2) *Maximum rent established under section 4 (a).* Where the maximum rent of the housing accommodations is or initially was established under section 4 (a), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent.

(3) *Maximum rent established under section 4 (b) or (c)—(i) Renting prior to effective date of regulation.* Where the maximum rent of the housing accommodations is or initially was established under section 4 (b) or (c) by a renting prior to the effective date of regulation, no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for security deposit, the Administrator at any time, on his own initiative or on application of the tenant, may order a decrease in the amount of such deposit or may order its elimination.

(ii) *Renting on or after effective date of regulation.* Where the maximum rent of the housing accommodations is or initially was established under section 4 (b) or (c) by a renting on or after the effective date of regulation, no security deposit shall be demanded or received.

(4) *Maximum rent established under section 4 (d) or (f).* Where the maximum rent of the housing accommodations is or initially was established under section 4 (d) or (f), no security deposit shall be demanded or received except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) as provided in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(5) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph (c), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles. If the landlord shows that he has a special need therefor, the Administrator may enter an order authorizing a security deposit, not in excess of ten dollars to secure the return of the movable articles specified in the order.

[Paragraph (c) added by Am. 7, 9 F.R. 10632, effective 9-1-44 and amended by Am. 9, 9 F.R. 12414, effective 10-12-44]

SEC. 3. *Minimum services, furniture, furnishings, and equipment.* Except as set forth in section 5 (b), every landlord shall, as a minimum, provide with a room the same essential services, furniture, furnishings and equipment as those provided on the date or during the thirty-day period determining the maximum rent, and as to other services, furniture, furnishings, and equipment not substantially less than those provided on such date or during such period: *Provided, however,* That where fuel oil is used to supply heat or hot water for a room, and the landlord provided heat or hot water on the date or during the thirty-day period determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

SEC. 4. *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in section 5) shall be:

(a) *Rented or regularly offered during maximum rent period.* For a room rented or regularly offered for rent during the thirty days ending on September 1, 1943, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period, or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) *First rented or regularly offered after maximum rent period.* For a room neither rented nor regularly offered for rent during the thirty days ending on September 1, 1943, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after September 1, 1943; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) *First rent after September 1, 1943 where no maximum rent established under (a) or (b).* For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section the first rent for the room after September 1, 1943 for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) *Rooms constructed and owned by the government.* For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on September 1, 1943, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (1).

(e) *Meals with room.* For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment, if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two.

(f) *Rooms subject to rent schedule of War or Navy Department.* For a room rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established by such rent schedule.

(g) *Rent fixed by order of Administrator.* For a room for a particular term or number of occupants for which no maximum rent has been established under any other provision of this regulation, the rent fixed by order of the Administrator as provided in this paragraph (g).

The Administrator at any time on his own initiative or on petition of the landlord may enter an order fixing the maximum rent and specifying the minimum services for a room for a particular term or number of occupants for which no maximum rent has been established prior to issuance of the order under any other

provision of this regulation. Such maximum rent shall be fixed on the basis of the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

[Paragraph (g) added by Am. 3, 9 F.R. 5003, effective 5–12–44]

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in services, furniture, furnishings or equipment, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on September 1, 1943 the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date or during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases, except those under paragraphs (a) (7), (a) (9), (c) (4), and (c) (5) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on September 1, 1943.

In cases under paragraph (a) (9) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds necessary to relieve the substantial hardship: *Provided,* That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on September 1, 1943.

In cases under paragraph (c) (5) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (9) of this section: *Provided,* That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (9) of this section.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since September 1, 1943.

In cases under paragraphs (a) (7) and (c) (4) of this section, the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on September 1, 1943.

[Above paragraphs amended by Am. 2, 9 F.R. 3422, effective 3–29–44; Am. 5, 9 F.R. 9428, effective 8–3–44; and Am. 6, 9 F.R. 10189, effective 9–1–44]

(a) *Grounds for increase of maximum rents.* Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) *Major capital improvement since maximum rent period.* There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement, and maintenance.

(2) *Change prior to September 1, 1943.* There was, on or prior to the maximum rent date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance or a substantial increase in services, furniture, furnishings or equipment, and the rent during the thirty-day period ending on September 1, 1943 was fixed by a lease or other rental agreement which was in force at the time of such change or increase.

[Subparagraph (2) amended by Am. 8, 9 F.R. 11384, effective 9–13–44]

(3) *Substantial increase in services, furniture, furnishings or equipment.* There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) *Special relationship between landlord and tenant.* The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on September 1, 1943.

(5) *Lease for term commencing one year or more before September 1, 1943.* There was in force on September 1, 1943, a written lease, for a term commencing on or prior to September 1, 1942, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on September 1, 1943.

(6) *Varying rents.* The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) *Seasonal demand.* The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(8) *Peculiar circumstances.* The rent during the thirty-day period determining the maximum rent was materially affected by peculiar circumstances and as a result was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on September 1, 1943.

[Subparagraph (8) added by Am. 4, 9 F.R. 8054, effective 7–17–44]

(9) *Substantial hardship from increase in property taxes or operating costs.* Substantial hardship has resulted from a substantial decrease in the net income (before interest) of the property for the current year as compared with a representative period prior to September 1, 1943, due to a substantial and unavoidable increase in property taxes or operating costs.

For the purposes of this paragraph (a) (9) the term:

(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expenses necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structures operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means a period of twelve calendar months beginning on or after the effective date of regulation. The most recent calendar or fiscal year used by the landlord or the twelve calendar months immediately prior to the filing of the petition for adjustment may be used.

[Subparagraph (9) added by Am. 6, 9 F.R. 10189, effective 9–1–44; and corrected 9 F.R. 10718, effective 8–31–44]

(b) *Decreases in minimum services, furniture, furnishings and equipment—* (1) *Decreases existing on October 15, 1943.* If, on October 15, 1943, the services provided for a room are less than the minimum services required by section 3, the landlord shall either restore and maintain such minimum services, or on or before November 15, 1943, file a petition requesting approval of the decreased services. If, on October 15, 1943, the furniture, furnishings or equipment provided with a room are less than the minimum required by section 3, the landlord shall on or before November 15, 1943, file a written report showing the decrease in furniture, furnishings or equipment.

(2) *Decreases after October 15, 1943.* Except as above provided, the landlord shall, until the room becomes vacant, maintain the minimum services, furniture, furnishings and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings or equipment he shall file a petition within 10 days after the change occurs. When the room becomes

vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) *Adjustment in maximum rent for decreases.* The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of section 5 (c) (3). If the landlord fails to file the petition or report required by this paragraph within the time specified, or decreases the services, furniture, furnishings or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or October 15, 1943, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. In such case, any order decreasing the maximum rent shall be effective to decrease such rent from the beginning of the first rental period after the decrease in services, furniture, furnishings or equipment or after October 15, 1943, whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph.

(c) *Grounds for decrease of maximum rent.* The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) *Rent higher than rent generally prevailing.* The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on September 1, 1943.

(2) *Substantial deterioration.* There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) *Decrease in services, furniture, furnishings, or equipment.* There has been a decrease in the minimum services, furniture, furnishings or equipment required by section 3 since the date or order determining the maximum rent.

(4) *Seasonal demand.* The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(5) *Modification or elimination of necessity for increase under section 5 (a) (9).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (9) of this section, since the order issued under that paragraph.

[Subparagraph (5) added by Am. 6, 9 F.R. 10169, effective 9-1-44]

(d) *Orders when facts are in dispute, in doubt, or not known.* If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed on or before November 15, 1943, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on September 1, 1943.

(e) *Interim orders.* Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) or (d) of this section, or a proceeding is initiated by the Administrator under paragraph (d), the Administrator may enter an interim order increasing or fixing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order in such proceeding. The receipt by the landlord of any rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

[Paragraph (e) amended by Am. 1, 8 F.R. 16033, effective 11-25-43]

SEC. 6. *Removal of tenant*—(a) *Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated unless:

(1) *Tenant's refusal to renew lease.* The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this regulation; or

(2) *Tenant's refusal of access.* The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) *Violating obligation of tenancy or committing nuisance.* The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) *Demolition or alteration by landlord.* The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) *Room not offered for rent.* The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), the landlord shall file a written report on a form provided therefor before renting the room during a period of 6 months after such removal or eviction.

(b) *Administrator's certificate.* No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof.

(c) *Notice to Area Rent Office.* At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) *Exceptions from section 6.* The provisions of this section do not apply to:

(1) *Subtenants.* A subtenant or other person who occupied under a rental agreement with the tenant where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(2) *Daily or weekly tenants in hotel and daily tenants in rooming house.* A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within

a rooming house which has heretofore usually been rented on a daily basis: *Provided*, That the provisions of this section do apply to a tenant on a daily or weekly basis who has requested a weekly or monthly term of occupancy pursuant to section 2 (b) (3) or (4).

(3) *Rooms subject to rent schedule of War or Navy Department.* Rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(4) *One or two occupants.* An occupant of a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

(5) *Renting to family in landlord's residence.* A family which on or after August 1, 1943, moves into a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord does not rent to any person within such residence other than those in the one family.

(e) *Local law.* No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

SEC. 7. *Registration and records*—(a) *Registration statement.* On or before November 15, 1943, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after October 15, 1943 under paragraphs (b) or (c) of section 4 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) *Posting maximum rents.* On or before December 15, 1943, every landlord shall post and thereafter keep posted conspicuously in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Should the maximum rent or rents for the room be changed by order of the Administrator the landlord shall alter the card or sign so that it states the changed rent or rents.

The foregoing provisions of this paragraph shall not apply to rooms under section 4 (d). The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

(c) *Receipt for amount paid.* No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(d) *Rooms subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments for which the rent is fixed by the national rent schedule of the War or Navy Department.

(e) *Records*—(1) *Existing records.* Every landlord of a room rented or offered for rent shall preserve, and make available for examination by the Administrator, all his existing records showing or relating to (i) the rent for each term and number of occupants for which such room was rented or regularly offered for rent during the year ending on September 1, 1943, (ii) the rent on any date or during any thirty-day period determining a maximum rent for such room under section 4 (b) or 4 (c), and (iii) rooms rented and offered for rent on a weekly and monthly basis during September 1943.

(2) *Record keeping.* On and after October 15, 1943, every landlord of an establishment containing more than 20 rooms rented or offered for rent shall keep, preserve, and make available for examination by the Administrator, records showing the rents received for each room, the particular term and number of occupants for which such rents were charged, and the name and permanent address of each occupant; every other landlord shall keep, preserve, and make available for examination by the Administrator, records of the same kind as he has customarily kept relating to the rents received for rooms.

SEC. 8. *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may from time to time require.

SEC. 9. *Evasion*—(a) *General.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or by tying agreement, or otherwise.

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting rooms.

[Sec. 9 amended by Am. 11, effective 1-10-45.]

SEC. 10. *Enforcement.* Persons violating any provisions of this regulation are subject to criminal penalties, civil enforcement actions, and suits for treble damages as provided for by the Act.

SEC. 11. *Procedure.* All registration statements, reports and notices provided for by this regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Revised Procedural Regulation No. 3 [2] (§§ 1300.201 to 1300.253, inclusive).

SEC. 12. *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this regulation may file petitions therefor in accordance with Revised Procedural Regulation No. 3 (§§ 1300.201 to 1300.253, inclusive).

SEC. 13. *Definitions.* (a) When used in this regulation the term:

(1) "Act" means the Emergency Price Control Act of 1942.

(2) "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) "Area Rent Office" means the Office of the Rent Director in the Defense-Rental Area.

(5) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) "Housing accommodations" means any building structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) "Room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) "Services" includes repairs, decorating, and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) "Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

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[2] 9 F.R. 10484.

(11) "Rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for or in connection with the use or occupancy of a room or for the transfer of a lease of such room.

[Subparagraph (11) amended by Am. 7, 9 F.R. 10632, effective 9-1-44]

(12) "Term of occupancy" means occupancy on a daily, weekly, or monthly basis.

(13) "Hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

*Effective date.* This regulation shall become effective October 15, 1943. [This regulation originally issued August 29, 1944]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45-612; Filed, Jan. 8, 1945; 11:42 a. m.]

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## PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, N. Y. C. Area,[1] Incl. Amdts. 1-16]

### NEW YORK CITY AREA

This compilation of Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area includes Amendment 16, effective January 10, 1945. The text added or amended by Amendment 16 is underscored.

§ 1388.1291 *Rent regulation for hotels and rooming houses in New York City Defense-Rental Area.* The Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area is annexed hereto and made a part hereof.

Sec.
1. Scope of this regulation.
2. Prohibition.
3. Minimum services, furniture, furnishings, and equipment.
4. Maximum rents.
5. Adjustments and other determinations.
6. Removal of tenant.
7. Registration and records.
8. Inspection.
9. Evasion.
10. Enforcement.
11. Procedure.
12. Petitions for amendment.
13. Definitions.

AUTHORITY: § 1388.1291 issued under 56 Stat. 23, 765.

SECTION 1. *Scope of this regulation—*(a) *Rooms in hotels and rooming houses in the New York City Defense-Rental Area.* This regulation applies to all rooms in hotels and rooming houses in the New York City Defense-Rental Area, consisting of the City of New York (including the Boroughs of Bronx, Brooklyn, Manhattan, Queens, and Richmond) and the Counties of Nassau and Suffolk in the State of New York, except as provided in paragraph (b) of this section. The New York City Defense-Rental Area is referred to hereinafter in this regulation as the "Defense-Rental Area."

(b) *Housing to which this regulation does not apply.* This regulation does not apply to the following:

(1) *Farming tenants.* Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon.

(2) *Service employees.* Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part.

(3) *Charitable or educational institutions.* Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes.

(4) *Entire structures used as hotels or rooming houses.* Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(5) *Non-profit clubs.* Rooms in a bona fide club certified by the Administrator as exempt. The Administrator shall so certify if, on written request of the landlord, he finds that the club (i) is a non-profit organization and is recognized as such by written statement of the Bureau of Internal Revenue, (ii) rents rooms only to members, bona fide guests of members, and members of bona fide clubs with which the club has reciprocal arrangements for the exchange of privileges, and (iii) is otherwise operated as a bona fide club.

[Subparagraph (5) added by Am. 16, effective 1-10-45. Original subparagraph (5) added by Am. 5, 9 F.R. 2086, effective 2-22-44, and expired 9-30-44]

(6) *College fraternity or sorority houses.* Rooms in a bona fide college fraternity or sorority house certified by the Administrator as exempt. The Administrator shall so certify if, on written request of the landlord, he finds that the fraternity or sorority is a bona fide organization operated for the benefit of students and not for profit as a commercial or business enterprise. This exemption shall not apply when the rooms are rented to persons who are not members of the fraternity or sorority.

[Subparagraph (6) added by Am. 16, effective 1-10-45]

(c) *Effect of this regulation on leases and other rental agreements.* The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this regulation.

(d) *Waiver of benefit void.* An agreement by the tenant to waive the benefit of any provision of this regulation is void. A tenant shall not be entitled by reason of this regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to November 1, 1943.

(e) *Election by landlord to bring housing under this regulation.* Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such a building or establishment under the control of this regulation. A landlord who so elects shall file a registration statement under this regulation for all such housing accommodations accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Rent Regulation for Housing in the New York City Defense-Rental Area, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Rent Regulation for Housing in the New York City Defense-Rental Area all housing accommodations previously brought under this regulation by such election. He shall make such revocation by filing a registration statement or statements under the Rent Regulation for Housing in the New York City Defense-Rental Area, including in such registration statement or statements all housing accommodations brought under this regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to

[1] 8 F.R. 13910.

such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Rent Regulation for Housing in the New York City Defense Rental Area.

SEC. 2. *Prohibition*—(a) *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after November 1, 1943 of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

[Paragraph (a) amended by Am. 12, 9 F.R. 10633, effective 9-1-44]

(b) *Terms of occupancy*—(1) *Tenant not required to change term of occupancy.* No tenant shall be required to change his term of occupancy.

(2) *Term of occupancy during June, 1943.* Where, during June, 1943, a room was rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy except that he is not required to rent for that term more than the greatest number of rooms which were rented for the term at any one time during June, 1943. However, if, during the year ending on June 30, 1943, a landlord had regular and definite seasonal practices with reference to the renting of rooms on a weekly or monthly basis, he may request the Administrator to approve such practices. When approval is given the landlord shall offer rooms for rent for weekly and monthly terms of occupancy pursuant to the practices so approved. The Administrator may withdraw approval at any time if he finds that the landlord has failed to conform to such practices, or if he finds that the effects of the approval are inconsistent with the Act or this regulation or are likely to result in the circumvention or evasion thereof.

(3) *Request by tenant to change term of occupancy.* Any tenant on a daily or weekly term of occupancy shall on request be permitted by the landlord to change to a weekly or monthly term unless the landlord is then renting for such term a number of rooms equal to the number which he is required to rent for that term under subparagraph (2). If the room occupied by such tenant was not rented or offered for rent for such term during June, 1943, the landlord may transfer the tenant to a room, as similar as possible, which was so rented or offered for rent.

[Subparagraphs (2) and (3) amended by Am. 4, 8 F.R. 16893, effective 12-16-43]

(4) *Monthly term of occupancy in tourist camps, etc.* Where, since March 1, 1943, a room, cabin, or similar accommodations in a tourist camp, cabin camp, auto court or similar establishment has been or is hereafter rented to the same tenant for a continuous period of 60 days or longer on a daily basis, the landlord shall offer such room, cabin or other accommodations for rent for a monthly term of occupancy, regardless of the provisions of subparagraph (2) of this paragraph. The room, cabin or other accommodations shall be offered for rent on a monthly basis for each number of occupants for which it is offered by the landlord for any other term of occupancy. Any tenant of such room, cabin or other accommodations on a daily or weekly basis shall on request be permitted by the landlord to change to a monthly term of occupancy.

[Subparagraph (4) added by Am. 8, 9 F.R. 5003, effective 5-12-44]

(5) *Weekly and monthly terms of occupancy 50% or less.* A landlord who is required to rent for weekly or monthly terms of occupancy 50% or less of the rooms in an establishment, under subparagraphs (2) and (4) of this paragraph, may petition the Administrator to be relieved of such requirement. Upon issuance of an order granting such petition, the provisions of subparagraphs (2), (3) and (4) of this paragraph no longer shall apply to the rooms in the establishment; but, unless otherwise provided in the order, the maximum rent for a weekly term of occupancy shall apply where, after the date of issuance of the order, a tenant remains in occupancy for a continuous period of more than 10 days, and the maximum rent for a monthly term of occupancy shall apply where, after the date of issuance of the order, a tenant remains in occupancy for a continuous period of more than 30 days, regardless of whether the tenant occupies the same room in the establishment during the specified period. The maximum rent on a weekly or monthly basis, as the case may be, shall apply from the date of issuance of the order or the date on which occupancy commenced, whichever is the later.

If the landlord establishes that it was not his practice, during a reasonable period prior to November 1, 1943, to rent on a weekly basis, the order shall provide only for the application of the maximum monthly rent after thirty days' occupancy pursuant to the foregoing provisions. If the landlord establishes that it was not his practice, during such period, to rent on a monthly basis, the order shall provide only for the application of the maximum weekly rent pursuant to the foregoing provisions.

The order of the Administrator granting the landlord's petition may fix maximum rents for weekly and monthly terms of occupancy and for different numbers of occupants for those terms pursuant to section 4(g). Immediately upon issuance of the order, the landlord shall post maximum rents established for weekly and monthly terms of occupancy in the manner provided by section 7(b), to the extent that the order requires the application of such rents.

The Administrator may revoke the order at any time if he finds that its effect is inconsistent with the purposes of the act of this regulation or is likely to result in the circumvention or evasion thereof.

[Subparagraph (5) added by Am. 8, 9 F.R. 5003, effective 5-12-44; amended by Am. 15, 9 F.R. 14239, effective 12-2-44]

(6) If the landlord's duty under subparagraph (2), with reference to a room is in dispute, or in doubt, or not known, the Administrator, at any time on his own initiative may issue an order determining the necessary facts and establishing such duty; or, if the Administrator is unable to ascertain the necessary facts, he may issue an order pursuant to subparagraph (7).

(7) Where subparagraph (2) does not require the offering of a room on a weekly or monthly basis, or where the Administrator is unable to ascertain the facts necessary to establish the landlord's duty under that paragraph, he may at any time on his own initiative issue an order requiring the room to be offered for rent for a weekly or monthly term of occupancy, or both. The Administrator may issue such orders if he finds that, during a reasonable period prior to the time the proceeding hereunder is commenced, the room has been rented under circumstances which make appropriate the application of weekly or monthly rents. In determining whether the landlord shall be required to offer the room on a weekly basis, or on a monthly basis, or both, the Administrator will consider the practices which prevailed in the defense-rental area for similar accommodations during a reasonable period prior to November 1, 1943.

Upon issuance of such an order, the room shall be offered for rent on a weekly or monthly basis, or both, as the order may require, for each number of occupants, for which it is offered by the landlord for any other term of occupancy. A tenant of the room on a daily or weekly basis shall on request be permitted by the landlord to change to any term of occupancy which the landlord is required to offer pursuant to the order.

[Subparagraphs (6) and (7) added by Am. 15, 9 F.R. 14239, effective 12-2-44]

(c) *Security deposits*—(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of any room in a hotel or rooming house within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (c). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment

of rent for a period no longer than one month.

(2) *Maximum rent established under section 4 (a).* Where the maximum rent of the housing accommodations is or initially was established under section 4 (a), no security deposit shall be demanded, received or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent.

(3) *Maximum rent established under section 4 (b) or (c)—(i) Renting prior to effective date of regulation.* Where the maximum rent of the housing accommodations is or initially was established under section 4 (b) or (c) by a renting prior to the effective date of regulation, no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for a security deposit, the Administrator at any time, on his own initiative or on application of the tenant, may order a decrease in the amount of such deposit, or may order its elimination.

(ii) *Renting on or after effective date of regulation.* Where the maximum rent of the housing accommodations is or initially was established under section 4 (b) or (c) by a renting on or after the effective date of regulation, no security deposit shall be demanded or received.

(4) *Maximum rent established under section 4 (d) or (f).* Where the maximum rent of the housing accommodations is or initially was established under section 4 (d) or (f), no security deposit shall be demanded or received except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) as provided in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(5) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph (c), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles. If the landlord shows that he has a special need therefor, the Administrator may enter an order authorizing a security deposit, not in excess of ten dollars to secure the return of the movable articles specified in the order.

[Paragraph (c) added by Am. 12, 9 F.R. 10633, effective 9–1–44; and amended by Am. 14, 9 F.R. 12415, effective 10–12–44]

SEC. 3. *Minimum services, furniture, furnishings, and equipment.* Except as set forth in section 5(b), every landlord shall, as a minimum, provide with a room the same essential services, furniture, furnishings and equipment as those provided on the date or during the thirty-day period determining the maximum rent, and as to other services, furniture, furnishings and equipment not substantially less than those provided on such date or during such period: *Provided, however,* That where fuel oil is used to supply heat or hot water for a room, and the landlord provided heat or hot water on the date or during the thirty-day period determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

SEC. 4. *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in section 5) shall be:

(a) *Rented or regularly offered during maximum rent period.* For a room rented or regularly offered for rent during the thirty days ending on March 1, 1943, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period, or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) *First rented or regularly offered after maximum rent period.* For a room neither rented nor regularly offered for rent during the thirty days ending on March 1, 1943, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after March 1, 1943; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) *First rent after March 1, 1943 where no maximum rent established under* (a) *or* (b). For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section the first rent for the room after March 1, 1943 for that term and number of occupants, but no more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) *Rooms constructed and owned by the government.* For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1943, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (1).

(e) *Meals with room.* For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment, if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on March 1, 1943.

(f) *Rooms subject to rent schedule of War or Navy Department.* For a room rented to either Army or Navy personnel including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established by such rent schedule.

(g) *Rent fixed by order of Administrator.* For a room for a particular term or number of occupants for which no maximum rent has been established under any other provision of this regulation, the rent fixed by order of the Administrator as provided in this paragraph (g).

The Administrator at any time on his own initiative or on petition of the landlord may enter an order fixing the maximum rent and specifying the minimum services for a room for a particular term or number of occupants for which no maximum rent has been established prior to issuance of the order under any other provision of this regulation. Such maximum rent shall be fixed on the basis of the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

[Paragraph (g) added by Am. 8, 9 F.R. 5003, effective 5–12–44]

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in services, furniture, furnishings or equipment, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on March 1, 1943 the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it ap-

pears that the rent on the date or during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases, except those under paragraphs (a) (7), (a) (9), (c) (4), (c) (5), and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

In cases under paragraph (a) (9) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds necessary to relieve the substantial hardship: *Provided*, That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

In cases under paragraph (c) (6) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (9) of this section: *Provided*, That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (9) of this section.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since March 1, 1943.

In cases under paragraphs (a) (7) and (c) (4) of this section, the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on March 1, 1943.

In cases under paragraph (c) (5) of this section the adjustment shall be on the basis of the average rent during the period of occupancy of the lease or other rental agreement in effect on the date determining the maximum rent.

[Above paragraphs amended by Am. 5, 9 F.R. 2086, effective 2-22-44; Am. 6, 9 F. R. 2086, effective 2-22-44; Am. 7, 9 F.R. 3422, effective 3-29-44; Am. 10, 9 F.R. 9428, effective 8-3-44; and Am. 11, 9 F. R. 10191, effective 11-1-44]

(a) *Grounds for increase of maximum rents.* Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the ground that:

(1) *Major capital improvement since maximum rent period.* There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement, and maintenance.

(2) *Change prior to March 1, 1943.* There was, on or prior to the maximum rent date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance or a substantial increase in services, furniture, furnishings or equipment, and the rent during the thirty-day period ending on March 1, 1943 was fixed by a lease or other rental agreement which was in force at the time of such change or increase.

[Subparagraph (2) amended by Am. 13, 9 F.R. 11334, effective 9-13-44]

(3) *Substantial increase in services, furniture, furnishings, or equipment.* There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) *Special relationship between landlord and tenant.* The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1943.

(5) *Lease for term commencing on or prior to March 1, 1942.* There was in force on March 1, 1943 a written lease, for a term commencing on or prior to March 1, 1942, requiring a rent substantially lower than the rents generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1943.

(6) *Varying rents.* The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

[Subparagraphs (5) and 6) corrected, 8 F.R. 14617]

(7) *Seasonal demand.* The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(8) *Peculiar circumstances.* The rent during the thirty-day period determining the maximum rent was materially affected by peculiar circumstances and as a result was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

[Subparagraph (8) added by Am. 9, 9 F.R. 8055, effective 7-17-44]

(9) *Substantial hardship from increase in property taxes or operating costs.* Substantial hardship has resulted from a substantial decrease in the net income (before interest) of the property for the current year as compared with a representative period prior to March 1, 1943, due to a substantial and unavoidable increase in property taxes or operating costs.

For the purposes of this paragraph (a) (9) the term:

(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expenses necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structures operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means a period of twelve calendar months beginning on or after the effective date of regulation. The most recent calendar or fiscal year used by the landlord or the twelve calendar months immediately prior to the filing of the petition for adjustment may be used.

[Subparagraph (9) added by Am. 11, 9 F.R. 10191, effective 11-1-44, corrected 9 F.R. 10718, effective 8-31-44]

(b) *Decreases in minimum services, furniture, furnishings and equipment—* (1) *Decreases existing on November 1, 1943.* If, on November 1, 1943, the services provided for a room are less than the minimum services required by section 3, the landlord shall either restore and maintain such minimum services, or, on or before November 30, 1943, file a petition requesting approval of the decreased services. If, on November 1, 1943, the furniture, furnishings or equipment provided with a room are less than the minimum required by section 3, the landlord shall on or before November 30, 1943, file a written report showing the decrease in furniture, furnishings or equipment.

(2) *Decreases after November 1, 1943.* Except as above provided, the landlord shall, until the room becomes vacant, maintain the minimum services, furniture, furnishings and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings or equipment he shall file a petition within 10 days after the change occurs. When the room becomes vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) *Adjustment in maximum rent for decreases.* The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of section 5 (c) (3). If the landlord fails to file the petition or report required by this paragraph within the time specified, or decreases the services, furniture, furnishings or equipment

without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or November 1, 1943, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. In such case, any order decreasing the maximum rent shall be effective to decrease such rent from the beginning of the first rental period after the decrease in services, furniture, furnishings or equipment or after November 1, 1943, whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph.

(c) *Grounds for decrease of maximum rent.* The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) *Rent higher than rent generally prevailing.* The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1943.

(2) *Substantial deterioration.* There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) *Decrease in services, furniture, furnishings, or equipment.* There has been a decrease in the minimum services, furniture, furnishings or equipment required by section 3 since the date or order determining the maximum rent.

(4) *Seasonal demand.* The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such rooms. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(5) *Rent concession.* The rent on the date determining the maximum rent was established by a lease or other rental agreement for a period of occupancy of one or more years, which provided for a rent concession during such period of occupancy in the form of either a rent-free period or an abatement of rent.

[Subparagraph (5) added by Am. 6, 9 F.R. 2086, effective 2-22-44]

(6) *Modification or elimination of necessity for increase under section 5 (a) (9).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (9) of this section, since the order issued under that paragraph.

[Subparagraph (6) added by Am. 11, 9 F.R. 10191, effective 11-1-14]

(d) *Orders when facts are in dispute, in doubt, or not known.* If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed on or before November 30, 1943, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1943.

(e) *Interim orders.* Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) or (d) of this section, or a proceeding is initiated by the Administrator under paragraph (d), the Administrator may enter an interim order increasing or fixing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order in such proceeding. The receipt by the landlord of any rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

[Paragraph (e) added by Am. 1, 8 F.R. 14814, effective 11-1-43; and amended by Am. 2, 8 F.R. 15581, effective 11-13-43]

SEC. 6. *Removal of tenant*—(a) *Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated unless:

(1) *Tenant's refusal to renew lease.* The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this regulation; or

(2) *Tenant's refusal of access.* The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) *Violating obligation of tenancy or committing nuisance.* The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) *Demolition or alteration by landlord.* The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) *Room not offered for rent.* The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), the landlord shall file a written report on a form provided therefor before renting the room during a period of 6 months after such removal or eviction.

(b) *Administrator's certificate.* No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof.

(c) *Notice to Area Rent Office.* At the time of commencing any action to remove or evict a tenant (except an action based on nonpayment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) *Exceptions from section 6.* The provisions of this section do not apply to:

(1) *Subtenants.* A subtenant or other person who occupied under a rental agreement with the tenant where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(2) *Daily or weekly tenants in hotel and daily tenants in rooming house.* A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis:

*Provided*, That the provisions of this section do apply to a tenant on a daily or weekly basis who has requested a weekly or monthly term of occupancy pursuant to section 2 (b) (3) or (4).

(3) *Rooms subject to rent schedule of War or Navy Department.* Rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(4) *One or two occupants.* An occupant of a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

(5) *Renting to family in landlord's residence.* A family which on or after August 1, 1943 moves into a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord does not rent to any person within such residence other than those in the one family.

(e) *Local law.* No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

SEC. 7. *Registration and records*—(a) *Registration statement.* On or before December 15, 1943, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after November 1, 1943 under paragraphs (b) or (c) of section 4 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) *Posting maximum rents.* On or before December 15, 1943, every landlord shall post and thereafter keep posted conspicuously in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator the landlord shall alter the card or sign so that it states the changed rent or rents.

The foregoing provisions of this paragraph shall not apply to rooms under section 4 (d). The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

[Paragraphs (a) and (b) amended by Am. 3, 8 F.R. 16219, effective 11-29-43]

(c) *Receipt for amount paid.* No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(d) *Rooms subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments for which the rent is fixed by the national rent schedule of the War or Navy Department.

(e) *Records*—(1) *Existing records.* Every landlord of a room rented or offered for rent shall preserve, and make available for examination by the Administrator, all his existing records showing or relating to (i) the rent for each term and number of occupants for which such room was rented or regularly offered for rent during the thirty-day period determining the maximum rent for such room, (ii) the rent on any date determining a maximum rent for such room for a particular term and number of occupants under section 4 (c), and (iii) rooms rented and offered for rent on a weekly and monthly basis during June 1943.

[Subparagraph (1) amended by Am. 4, 8 F. R. 16893, effective 12-16-43]

(2) *Record keeping.* On and after November 1, 1943, every landlord of an establishment containing more than 20 rooms rented or offered for rent shall keep, preserve, and make available for examination by the Administrator, records showing the rents received for each room, the particular term and number of occupants for which such rents were charged, and the name and permanent address of each occupant; every other landlord shall keep, preserve, and make available for examination by the Administrator, records of the same kind as he has customarily kept relating to the rents received for rooms.

SEC. 8. *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may from time to time require.

SEC. 9. *Evasion*—(a) *General.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or by tying agreement, or otherwise.

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting rooms.

[Sec. 9 amended by Am. 16, effective 1-10-45]

SEC. 10. *Enforcement.* Persons violating any provisions of this regulation are subject to criminal penalties, civil enforcement actions, and suits for treble damages as provided for by the Act.

SEC. 11. *Procedure.* All registration statements, reports and notices provided for by this regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Revised Procedural Regulation No. 3 [2] (§§ 1300.201 to 1300.253, inclusive).

SEC. 12. *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this regulation may file petitions therefor in accordance with Revised Procedural Regulation No. 3 (§§ 1300.201 to 1300.253, inclusive).

SEC. 13. *Definitions.* (a) When used in this regulation the term:

(1) "Act" means the Emergency Price Control Act of 1942.

(2) "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) "Area Rent Office" means the Office of the Rent Director in the Defense-Rental Area.

(5) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) "Housing accommodations" means any building structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) "Room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) "Services" includes repairs, decorating, and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) "Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent

[2] 9 F.R. 10484.

for the use or occupancy of any room, or an agent of any of the foregoing.

(10) "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) "Rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for or in connection with the use or occupancy of a room or the transfer of a lease of such room.

[Subparagraph (11) amended by Am. 12, 9 F.R. 10633, effective 9-1-44]

(12) "Term of occupancy" means occupancy on a daily, weekly, or monthly basis.

(13) "Hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

*Effective date.* This regulation shall become effective November 1, 1943. [This regulation originally issued October 8, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE. All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45-611; Filed, Jan. 8, 1945; 11:42 a. m.]

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## PART 1388—DEFENSE RENTAL AREAS

[Hotels and Rooming Houses,[1] Amdt. 41]

### MISCELLANEOUS AMENDMENTS

The Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

1. Section 1 (b) (5) is revoked and a new section 1 (b) (5) is added to read as follows:

(5) *Non-profit clubs.* Rooms in a bona fide club certified by the Administrator as exempt. The Administrator shall so certify if, on written request of the landlord, he finds that the club (i) is a non-profit organization and is recognized as such by written statement of the Bureau of Internal Revenue, (ii) rents rooms only to members, bona fide guests of members, and members of bona fide clubs with which the club has reciprocal arrangements for the exchange of privileges, and (iii) is otherwise operated as a bona fide club.

2. Section 1 (b) (6) is added to read as follows:

(6) *College fraternity or sorority houses.* Rooms in a bona fide college fraternity or sorority house certified by the Administrator as exempt. The Administrator shall so certify if, on written request of the landlord, he finds that the fraternity or sorority is a bona fide organization operated for the benefit of students and not for profit as a commercial or business enterprise. This exemption shall not apply when the rooms are rented to persons who are not members of the fraternity or sorority.

3. Section 9 is amended to read as follows:

SEC. 9. *Evasion*—(a) *General.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or by tying agreement, or otherwise.

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting rooms.

This amendment shall become effective January 10, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45-607; Filed, Jan. 8, 1945; 11:42 a. m.]

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## PART 1388—DEFENSE RENTAL AREAS

[Housing,[1] Amdt. 44]

### EVASION OF MAXIMUM RENTS

The Rent Regulation for Housing is amended in the following respects:

Section 9 is amended to read as follows:

SEC. 9. *Evasion*—(a) *General.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or by tying agreement, or otherwise.

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting housing accommodations.

This amendment shall become effective January 10, 1945.

Issued this 8th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45-608; Filed, Jan. 8, 1945; 11:42 a. m.]

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## PART 1388—DEFENSE RENTAL AREAS

[Housing, Atlantic County Area,[1] Amdt. 7]

### EVASION OF MAXIMUM RENTS

The Rent Regulation for Housing in the Atlantic County Defense Rental Area is amended in the following respects:

Section 9 is amended to read as follows:

SEC. 9. *Evasion*—(a) *General.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or by tying agreement, or otherwise.

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting housing accommodations.

This amendment shall become effective January 10, 1945.

Issued this 8th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45-613; Filed, Jan. 8, 1945; 11:42 a. m.]

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[1] 9 F.R. 11322, 11540, 11610, 11787, 12414, 12866, 12967, 14059, 14357, 14238.

[1] 9 F.R. 11335, 11541, 11610, 11797, 12414, 12886, 12967, 14060, 14357.

[1] 9 F.R. 6819, 8054, 10189, 10634, 11349, 12415.

PART 1388—DEFENSE RENTAL AREAS

[Housing, New York City Area,[1] Amdt. 15]

EVASION OF MAXIMUM RENTS

The Rent Regulation for Housing in the New York City Defense Rental Area is amended in the following respects:

Section 9 is amended to read as follows:

SEC. 9. *Evasion*—(a) *General.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or by tying agreement, or otherwise.

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting housing accommodations.

This amendment shall become effective January 10, 1945.

Issued this 8th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45-610; Filed, Jan. 8, 1945; 11:42 a. m.]

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PART 1388—DEFENSE RENTAL AREAS

[Housing, Miami Area,[2] Amdt. 13]

EVASION OF MAXIMUM RENTS

The Rent Regulation for Housing in the Miami Defense Rental Area is amended in the following respect:

Section 9 is amended to read as follows:

SEC. 9. *Evasion*—(a) *General.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or by tying agreement, or otherwise.

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting housing accommodations.

This amendment shall become effective January 10, 1945.

Issued this 8th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45-609; Filed, Jan. 8, 1945; 11:42 a. m.]

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PART 1389—APPAREL

[RMPR 330,[1] Amdt. 1]

RETAILERS' AND WHOLESALERS' PRICES FOR WOMEN'S, GIRLS', CHILDREN'S AND TODDLERS' OUTERWEAR GARMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 330 is amended in the following respects:

1. Section 2 (c) (1) is amended to read as follows:

(1) *For sales of toddlers' garments, or blouses under size 30, or slacks and slack suits.* (i) The "base period" for all garments in categories 5a, 10a, 15a, 20a, 25a, 26a, 26b and 32–39 is the period between August 1 and December 31, 1942 for retailers and the period between July 1 and October 31, 1942 for wholesalers, if the seller delivered a garment in any one of these categories during that period.

(ii) If a retailer made no delivery of a garment in any of categories 5a, 10a, 15a, 20a, 25a, 26a, 26b or 32–39 prior to October 1, 1942 (September 1, 1942 for wholesalers) but did make deliveries of garments in one or more of such categories prior to May 18, 1944, his base period for all of these categories is the first four months immediately following his first delivery of a garment in any one of these categories.

2. Section 2 (c) (2) is amended to read as follows:

(2) *For sales of garments in all other categories.* (i) The "base period" for all garments in these categories is the period between August 1 and December 31, 1941 for retailers, and the period between July 1, and October 31, 1941 for wholesalers, if the seller delivered a garment in any one of these categories during that period.

(ii) If a retailer made no deliveries of a garment in any of these categories prior to October 1, 1941 (September 1, 1941 for wholesalers), but did make deliveries of garments in one or more of such categories prior to May 18, 1944, his base period for all of these categories is the first four months immediately following his first delivery of a garment in any one of these categories.

3. Section 2 (c) (3) is added to read as follows:

(3) *Special base periods for mail order catalogue establishments.* The base periods of each mail order catalogue establishment making sales on the basis of orders received by mail, shall be the period used by it in preparing its Fall 1944 catalogue.

4. Section 3 (a) (8) is amended by deleting the words "June 15" and substituting therefor the words "February 17".

5. Section 4 (a) (3) is amended to read as follows:

(3) If the garment is sold or previously has been sold at a "special sale" you must price under paragraph (d) of this section.

6. In the last sentence of the first undesignated paragraph of section 4 (b) the words "'cross-stream' or 'up-stream' sales" are deleted, and the words "'special sales'" are substituted therefor.

7. Section 4 (b) (2) (i) is amended by adding the following paragraphs at the end thereof:

Where you find that the category whose average percentage markup you are calculating lists different terms or discounts for various costs, you must adjust the average percentage markup to reflect the different terms or discounts. This may be done by reducing each cost to net cost. To do this you subtract from each cost price the amount of the discount based on the discount listed for that cost on your pricing chart. You compute the average percentage markup by adding together all the net cost prices for a category, adding together all the selling prices listed for that category, and dividing the difference between these totals by the total of the selling prices. Applying this average percentage markup to the net cost of the garment you are pricing, will give you the ceiling price.

In all computations to determine the average percentage markup, you may disregard cost prices preceded by an (S) and the selling prices listed for those costs.

*For example:* The retailer whose pricing chart is shown in Appendix B (a) (1) listed the following costs, terms and ceiling prices for women's coats:

| | | | |
|---|---|---|---|
| (S) | $11.75 | 8/10 EOM | $14.95 |
| | 12.75 | 8/10 EOM | 19.95 |
| | 14.74 | 8/10 EOM | 25.00 |
| | 18.75 | 1/10 EOM | 29.95 |
| | 19.75 | 8/10 EOM | 29.95 |
| | 22.75 | 8/10 EOM | 35.00 |
| | 26.75 | 8/10 EOM | 39.95 |
| | 29.75 | NET | 49.95 |

He now wishes to price a women's coat (Category 1) purchased at $32.75 less 3/10 EOM. This cost is higher than the highest cost price listed for women's coats and must be priced under Rule 2 (i). Since his terms for his cost price lines vary, he must determine his average percentage markup to reflect the different terms. This is done by reducing his costs to net cost. For the purpose of this computation disregard the $11.75 cost and the $14.95 selling price because they are marked with (S). Subtracting the listed terms from each cost, he finds his net costs are:

| | |
|---|---|
| $12.75 less 8% = | $11.73 |
| 14.75 less 8% = | 13.57 |
| 18.75 less 1% = | 18.56 |
| 19.75 less 8% = | 18.17 |

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[1] 8 F.R. 13914, 14814, 15586, 16219; 9 F.R. 2087, 3423, 4028, 6360, 8054, 10190, 10635, 10718, 11350, 12416.

[2] 8 F.R. 13118, 14047, 16033; 9 F.R. 3423, 4028, 6360, 7168, 8053, 10191, 10635, 11349, 12416.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 11350.

| | |
|---|---|
| $22.75 less 8% = | $20.93 |
| 26.75 less 8% = | 24.61 |
| 29.75 Net = | 29.75 |
| Total net cost | $137.32 |

He now adds the selling prices (disregarding the $14.95 selling price), and finds the total of the selling prices is $229.75 ($19.95+25.00+29.95+29.95+35.00+39.95+49.95=$229.75). He then subtracts the total net costs from the total of the selling prices ($229.75−$137.32=$92.43). Next he divides the remainder just obtained by the total of the selling prices ($92.43÷$229.75=40.2%). His average percentage markup is 40.2% based on his net costs. He now subtracts from the cost of the garment he wishes to price the discount allowed ($32.75 less 3%=$31.77) and applies his markup by subtracting 40.2% from 100% (100%−40.2%=59.8%) and dividing the net cost by the remainder $31.77÷59.8%=$53.13). His ceiling price for the women's coat costing $32.75 3/10 EOM is $53.13. Note that this retailer will apply the markup of 40.2% to the net cost of all women's coats costing more than $29.75.

7. Section 4 (b) (2) (iii) is amended by changing the sum "$7.25" appearing in the first sentence of the example to read "$7.75."

8. Section 4 (d) is amended to read as follows:

(d) *Maximum prices for garments which have been bought or sold at a "special sale".* This section provides a method of establishing ceiling prices for garments which are bought or sold at a "special sale". A "special sale" is a sale outside the normal channel of distribution.

(1) *Types of special sales.* The following types of sales are included among "special sales":

(i) Sales by a wholesaler to another wholesaler or to a manufacturer.

(ii) Sales by a retailer to any person other than an ultimate consumer or an industrial or institutional user.

(2) *Ceiling prices.* (i) In the case of the first special sale of a garment, the ceiling price is the net price paid by the seller (not exceeding his supplier's ceiling price).

*For example:* A, a retailer, buys a dozen women's housedresses from a manufacturer at $12.75 per dozen on terms of 8–10 E. O. M., which is the manufacturer's ceiling price. A now wishes to resell the dresses to B, another retailer.

A's ceiling price for the sale to B is $11.73 per dozen, his net cost ($12.75 less 8% = $11.73).

(ii) In the case of any subsequent sale (except a sale at retail) of a garment which previously has been sold at a special sale, the ceiling price is the net price paid by the person who made the first special sale.

*For example:* X, a retailer, buys a girl's coat from a manufacturer at $14.75, net. X then liquidates his store and resells the coat to Y, a wholesaler, at $13.00. Y now wishes to resell the coat to Z, another wholesaler.

Y's ceiling price for this coat is figured by taking the net price paid by the person who made the first special sale. X is the person who made the first special sale and the net price paid by X is $14.75. Y uses this price of $14.75 as his ceiling price for the sale to Z.

*For example:* Suppose in the above case Z now wants to sell the coat to R, a retailer.

Z's ceiling price for the sale to R is $14.75 (the net price paid by X, the person who made the first special sale).

(iii) In the case of a sale at retail of a garment which previously has been sold at a special sale, the ceiling price is figured under Rule 1, 2 or 3 of this section. However, in no event may the retailer's cost exceed the net price paid for the garment by the first special seller.

NOTE: The net price paid by the first special seller must be shown on the invoice which the retailer receives from his supplier.

*For example:* Suppose in the above case R wants to sell the coat to an individual consumer. The price paid by R to Z for the coat was $14.75.

R's ceiling price for the coat is figured by taking $14.75 as his cost and applying Rule 1, 2 or 3. R could not legally pay more than $14.75, the amount listed on the bill as the net price of the person who made the first special sale.

*For example:* Suppose in the above case R paid $13.75 for the coat.

R's ceiling price for the coat is figured by taking $13.75 as his cost and applying Rule 1, 2 or 3.

(3) *Disclosure in special sales.* (i) The seller who makes the first special sale must attach to or mark on the bill or invoice a statement in substantially the following form:

The following garments have been sold at a special sale under section 4 (d) of RMPR 330:

(Describe garments)

The net price paid for these garments by the first special seller is $ (dozen or unit as case may be). This amount is the ceiling price for any future sale of these garments except a sale at retail.

If you sell these garments at retail your ceiling price is figured under Rule 1, 2 or 3 of Section 4 of RMPR 330. However, in no event may a retailer's cost exceed the net price paid by the first special seller, as set forth above in this statement.

O. P. A. requires that if you make a sale of these garments (except a sale at retail) you must mark on your invoice or bill a statement in substantially the same form as this one.

(ii) Any seller who makes a sale (except a sale at retail) of garments which previously have been sold at a special sale must mark on the bill or invoice a statement in substantially the same form as set forth in (i) immediately above.

9. Section 5 (a) is amended by amending the last undesignated paragraph thereof to read as follows:

To prevent increases in the cost of these garments to consumers, ceiling prices will be authorized, in general, at or below the level of prices established under this regulation. In authorizing ceiling prices lower than the level of prices established under this regulation, the prior experience, if any, of the applicant, the ceiling prices established under this regulation for applicant's closest competitor, and the level of ceiling prices in the trading area will be considered. Where the applicant is a department in a selling establishment (this includes leased departments) percentage markups will be authorized based upon the prior experience of the selling establishment in other departments, or upon the experience of its lessees. This paragraph applies to all separate sellers as defined in section 1 (b) (3).

10. Appendix C is amended by amending the list of categories, price lines and markups appearing in tabular form to read as follows:

| Category | Cost price | Selling price line | Percentage markup |
|---|---|---|---|
| 1 | $8.75 | $14.95 | 41.5 |
| | 10.75 | 16.95 | 36.6 |
| | 12.75 | 19.95 | 36.1 |
| | 13.75 | 22.50 | 38.9 |
| | 17.75 | 29.95 | 40.8 |
| | 24.75 | 39.95 | 38.1 |
| 22 | 3.75 | 5.95 | 37.0 |
| | 4.75 | 7.95 | 40.3 |
| | 5.50 | 8.95 | 38.5 |
| | 6.75 | 10.95 | 38.4 |
| | 7.75 | 12.95 | 40.1 |
| | 8.75 | 14.95 | 41.5 |
| | 10.75 | 16.95 | 36.6 |
| 26 | 2.50 | 3.95 | 36.7 |
| | 2.87½ | 4.79 | 40.0 |
| | 3.75 | 5.95 | 37.0 |
| | 4.75 | 7.95 | 40.3 |

This amendment shall become effective January 13, 1945.

Issued this 8th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45–614; Filed, Jan. 8, 1945; 11:46 a. m.]

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## PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 169]

### MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7853 is amended to read as follows:

§ 1394.7853 *Special ration for furlough travel by member of the armed forces*—(a) *General.* A member of the armed forces of the United States who needs transportation on leave or furlough for a period of three days or more, as evidenced by duly issued leave or furlough authorization (but not by pass) may apply to a Board for a special ration for furlough travel.

(b) *Application.* Application shall be made on Form OPA R–552 by the person on leave or furlough for whose use the ration is sought or, upon good cause shown, by his agent. The application must be accompanied by the leave or furlough authorization. If a basic ration has been issued for the vehicle for which this special ration is sought, the application must be accompanied by the mileage rationing record. The application, in addition to such other information as may be required, shall state:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15937.

(1) The purpose for which the ration is sought;

(2) To what points transportation is needed for such purpose;

(3) The alternative means of transportation which are available and the reasons, if any, why such alternative means are not reasonably adequate for the purpose; and

(4) The number of miles of driving claimed to be essential for the accomplishment of the purpose.

(c) *Allowance of ration.* (1) The Board may grant a special ration under this section only if it finds:

(i) That the applicant has met the requirements of paragraphs (a) and (b) of this section;

(ii) That such ration is needed by the applicant for the purpose claimed;

(iii) That transportation by motor vehicle is necessary to accomplish such purpose;

(iv) That no reasonably adequate alternative means of transportation are available; and,

(v) That the leave or furlough has not expired.

(2) If the Board grants the application, it shall determine the quantity of gasoline needed by the applicant for accomplishing the purpose stated and shall allow gasoline in that quantity subject to the following limitations:

(i) The quantity of gasoline allowed shall not exceed one gallon for each day of the leave or furlough.

(ii) The maximum quantity of gasoline allowed shall not exceed thirty gallons.

(d) *Issuance.* The Board shall issue to the applicant ration evidence only sufficient to afford the applicant the quantity of gasoline allowed. The Board shall issue such ration subject to the following provisions:

(1) In the case of motor vehicles other than motorcycles, the Board shall issue the ration in the form of gasoline purchase permits (Form OPA R-571).

(2) In the case of motorcycles, the Board shall issue the ration in the form of Class D coupons accompanied by an identifying folder, or gasoline purchase permits, or both.

(3) The Board shall note on the face of each gasoline purchase permit the information required by the form. The last day of the leave or furlough shall be inserted as the last date on which such ration may be used. No one gasoline purchase permit shall be issued for an amount of gasoline in excess of ten gallons nor for a fractional part of a gallon.

(4) The Board shall note on the mileage rationing record, if any, the information required by the form and the name of the applicant.

(5) The Board shall note on the leave or furlough authorization the Board designation, the date of issuance and the number of gallons of gasoline allowed.

2. Section 1394.7854 is revoked and a new § 1394.7854 is added to read as follows:

§ 1394.7854. *Special ration for furlough travel by member of the U. S. Merchant Marine.*—(a) *General.* A member of the United States Merchant Marine engaged in active off-shore duty in coastal, intercoastal, or foreign movements who needs transportation between periods of active duty may apply to a Board for a special ration for such transportation.

(b) *Application.* Application shall be made on Form OPA R-552 by such member of the United States Merchant Marine or, upon good cause shown, by his agent. The application must be accompanied by one or more of the applicant's Certificates of Discharge (U. S. Coast Guard or Department of Commerce Form 718A Rev.) or Records of Entry in Continuous Discharge Book (U. S. Coast Guard or Department of Commerce Form 718E). These documents are necessary to show the applicant's periods of such active off-shore duty, and the date of discharge. No such documents marked "duplicate" and no other documents or evidence may be used for these purposes. If a basic ration has been issued for the vehicle for which this special ration is sought, the application must be accompanied by the mileage rationing record. The application, in addition to such other information as may be required, shall state:

(1) The purpose for which the ration is sought;

(2) To what points transportation is needed for such purpose;

(3) The alternative means of transportation which are available and the reasons, if any, why such alternative means are not reasonably adequate for the purpose; and,

(4) The number of miles of driving claimed to be essential for the accomplishment of the purpose.

(c) *Allowance of ration.* (1) The Board may grant a special ration under this section only if it finds:

(i) That the applicant has met the requirements of paragraphs (a) and (b) of this section;

(ii) That such ration is needed by the applicant for the purpose claimed;

(iii) That transportation by motor vehicle is necessary to accomplish such purpose;

(iv) That no reasonably adequate alternative means of transportation are available;

(v) That the applicant's last date of discharge from such active duty shown by his latest Certificate of Discharge or Record of Entry in Continuous Discharge Book is not more than thirty days before the date of the filing of his application; and

(vi) That the applicant has served a total of at least five weeks of such active off-shore duty shown by Certificates of Discharge or Records of Entry in Continuous Discharge Book showing dates of discharge on or after December 13, 1944.

(2) If the Board grants the application, it shall determine the quantity of gasoline needed by the applicant for accomplishing the purpose stated and shall allow gasoline in that quantity subject to the following limitations.

The quantity of gasoline allowed shall not exceed the amount specified in Schedule I for the total of the periods of such active off-shore duty stated on Certificates of Discharge or Records of Entry in Continuous Discharge Book which show dates of discharge on or after December 13, 1944. The Board shall not include a period of duty any part of which has already been included in computing a ration issued under this section.

Schedule I is as follows:

SCHEDULE I

| Total periods of duty shown by certificates or records dated on or after December 13, 1944: | *Maximum gasoline allowed (gallons)* |
|---|---|
| Less than 5 weeks | None |
| 5 weeks | 3 |
| More than 5 weeks but not more than 7 weeks | 4 |
| More than 7 weeks but not more than 9 weeks | 5 |
| More than 9 weeks but not more than 10 weeks | 6 |
| More than 10 weeks but not more than 12 weeks | 7 |
| More than 12 weeks but not more than 14 weeks | 8 |
| More than 14 weeks but not more than 15 weeks | 9 |
| More than 15 weeks but not more than 17 weeks | 10 |
| More than 17 weeks but not more than 19 weeks | 11 |
| More than 19 weeks but not more than 20 weeks | 12 |
| More than 20 weeks but not more than 22 weeks | 13 |
| More than 22 weeks but not more than 24 weeks | 14 |
| More than 24 weeks but not more than 25 weeks | 15 |
| More than 25 weeks but not more than 27 weeks | 16 |
| More than 27 weeks but not more than 29 weeks | 17 |
| More than 29 weeks but not more than 30 weeks | 18 |
| More than 30 weeks but not more than 32 weeks | 19 |
| More than 32 weeks but not more than 34 weeks | 20 |
| More than 34 weeks but not more than 35 weeks | 21 |
| More than 35 weeks but not more than 37 weeks | 22 |
| More than 37 weeks but not more than 39 weeks | 23 |
| More than 39 weeks but not more than 40 weeks | 24 |
| More than 40 weeks but not more than 42 weeks | 25 |
| More than 42 weeks but not more than 44 weeks | 26 |
| More than 44 weeks but not more than 45 weeks | 27 |
| More than 45 weeks but not more than 47 weeks | 28 |
| More than 47 weeks but not more than 49 weeks | 29 |
| More than 49 weeks | 30 |

Gasoline shall not be allowed in excess of thirty gallons.

(d) *Issuance.* The Board shall issue to the applicant ration evidence only sufficient to afford the applicant the quantity of gasoline allowed. The Board shall issue such ration subject to the following provisions:

(1) In the case of motor vehicles other than motorcycles, the Board shall issue the ration in the form of gasoline purchase permits (Form OPA R-571).

(2) In the case of motorcycles, the Board shall issue the ration in the form of Class D coupons accompanied by an identifying folder, or gasoline purchase permits, or both.

(3) The Board shall note on the face of each gasoline purchase permit the information required by the form. A date thirty days after issuance shall be inserted as the last date on which such permit may be used. No one gasoline purchase permit shall be issued for an amount of gasoline in excess of ten gallons nor for a fractional part of a gallon.

(4) The Board shall note on the mileage rationing record, if any, the information required by the form and the name of the applicant.

(5) The Board shall note on the back of each of the certificates or records of discharge the Board designation, the date of issuance and the number of gallons of gasoline allowed.

This amendment shall become effective January 12, 1945.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 8th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-615; Filed, Jan. 8, 1945; 11:46 a. m.]

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## PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 3 to Supp. 1]

### FUEL OIL

Section 1394.9208 (b) (4) is added as follows:

(4) In Zones A-3, B-3 and C-3, the value of one unit represented by coupons numbered "3" on Class 4A coupon sheets, and the value of five units represented by coupons numbered "3" on Class 5A coupon sheets, and the value of twenty-five units represented by coupons numbered "3" on Class 6A coupon sheets are hereby fixed at ten (10) gallons, fifty (50) gallons, and two hundred fifty (250) gallons of fuel oil, respectively.

Issued and effective this 8th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45-616; Filed, Jan. 8, 1945; 11:41 a. m.]

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## PART 1421—IRON AND STEEL

[MPR 241,[2] Amdt. 9]

### MALLEABLE IRON CASTINGS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the division of the Federal Register.*

Maximum Price Regulation No. 241 is amended as follows:

A new paragraph (f) is added to § 1421.116 to read as follows:

(f) *Optional method for determining maximum prices for malleable iron castings sold pursuant to short orders.* (1) A seller of a malleable iron casting sold pursuant to a "short order" as defined in this paragraph may, in lieu of determining his maximum price under paragraphs (a) to (e) of this Section, use as his maximum price for such casting the prices listed in either of the following tables for the applicable quantity and weight of the casting.

Price per pound in quantities of—

| Weight per casting | 1 to 3 | 4 to 9 | 10 to 24 | 25 to 49 | 50 to 99 | 100 to 249 | 250 to 499 | 500 to 1000 |
|---|---|---|---|---|---|---|---|---|
| ¼ lb. and under | $7.7025 | $2.8675 | $1.3550 | $0.8500 | $0.6300 | $0.4650 | $0.3700 | $0.3050 |
| Over ¼ to 1 lb | 2.4900 | 1.1150 | .6650 | .5075 | .4125 | .3275 | .2575 | X |
| Over 1 to 2 lbs | 1.2625 | .6575 | .4650 | .3800 | .3275 | .2525 | X | |
| Over 2 to 4 lbs | .7925 | .4500 | .3400 | .2725 | .2425 | X | | |
| Over 4 to 8 lbs | .5025 | .3400 | .2625 | .2050 | X | | | |
| Over 8 to 15 lbs | .3550 | .2600 | .2125 | X | | | | |
| Over 15 to 25 lbs | .2725 | .2100 | .1775 | | | | | |
| Over 25 to 50 lbs | .2050 | .1700 | X | | | | | |
| Over 50 to 80 lbs | .1650 | .1425 | | | | | | |
| Over 80 to 100 lbs | .1550 | X | | | | | | |
| Over 100 to 200 lbs | .1450 | | | | | | | |

Price per piece in quantities of—

| Weight per casting | 1 to 3 | 4 to 9 | 10 to 24 | 25 to 49 | 50 to 99 | 100 to 249 | 250 to 499 | 500 to 1,000 |
|---|---|---|---|---|---|---|---|---|
| ¼ lb. and under | $1.3479 | $0.5018 | $0.2371 | $0.1488 | $0.1103 | $0.0814 | $0.0648 | $0.0534 |
| Over ¼ to 1 lb | 1.5563 | .6969 | .4156 | .3172 | .2578 | .2047 | .1609 | X |
| Over 1 to 2 lbs | 1.8938 | .9563 | .6975 | .5700 | .4913 | .3788 | X | |
| Over 2 to 4 lbs | 2.3775 | 1.3500 | 1.0200 | .8175 | .7275 | X | | |
| Over 4 to 8 lbs | 3.0150 | 2.0400 | 1.5750 | 1.2300 | X | | | |
| Over 8 to 15 lbs | 4.0825 | 2.9900 | 2.4438 | X | | | | |
| Over 15 to 25 lbs | 5.4500 | 4.2000 | 3.5500 | | | | | |
| Over 25 to 50 lbs | 7.5953 | 6.3750 | X | | | | | |
| Over 50 to 80 lbs | 10.7250 | 9.2625 | | | | | | |
| Over 80 to 100 lbs | 13.9500 | X | | | | | | |
| Over 100 to 200 lbs | 21.7500 | | | | | | | |

*Provided,* That (i) if the seller uses either Table set forth in this paragraph to establish the maximum price of a particular casting, he may not thereafter sell or offer to sell an identical casting on another short order at a higher price than the maximum price established by this paragraph, (ii) credit terms, discounts and allowances shall not be more onerous to the purchaser than those customarily in use on October 15, 1941, and (iii) transportation charges or allowances shall be made at rates prevailing at the time of delivery and shall be computed in accordance with the seller's customary practice on October 15, 1941.

(2) The term "short order" means an order for the purchase of a malleable iron casting where the shipping weight of the casting multiplied by the quantity ordered does not exceed 200 pounds; *Provided,* That (i) if the casting is produced or is to be produced on a production run whereby the 200 pound limitation is exceeded or is to be exceeded, the Order shall not be deemed a short order, (ii) orders shall not be split into small quantities for the purpose of classification as short orders, and (iii) if an order is received for a number of different patterns of malleable iron castings, the order shall be deemed a short order with respect to each pattern for which the requirements hereinbefore specified are met.

This amendment shall become effective January 13, 1945.

Issued this 8th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45-617; Filed, Jan. 8, 1945; 11:46 a. m.]

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## PART 1436—PLASTIC AND SYNTHETIC RESINS

[MPR 406,[1] Amdt. 7]

### SYNTHETIC RESINS AND PLASTIC MATERIALS AND SUBSTITUTE RUBBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 406 is amended in the following respects:

1. The second paragraph of section 7 (d) is amended to read as follows:

Unless notice of such adjustment is received by the manufacturer within the twenty-day period, his proposed maximum price is automatically authorized, subject, however, to revision or revocation by the Administrator as set forth below.

2. A paragraph is added at the end of section 7 (d) to read as follows:

The Price Administrator may at any time approve, disapprove, revoke, or revise maximum prices reported, proposed, or established under sections 7, 8, or 10 of this regulation so as to bring them into line with the level of maximum prices otherwise established by this regulation. No seller may receive payment for any commodity delivered after its maximum price is disapproved or revoked, until a maximum price for that commodity is approved.

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[1] 9 F.R. 2357.

[2] 9 F.R. 5197, 7077, 11610.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 8372, 10825, 12879; 9 F.R. 6885, 11513, 13210.

This amendment shall become effective January 13, 1945.

Issued this 8th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-618; Filed, Jan. 8, 1945; 11:47 a. m.]

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PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 496,[1] Amdt. 6]

VEGETABLE SEEDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 496 is amended in the following respects:

1. Section 3 (b) (8) is added to read as follows:

(8) Of the following New York and Imperial varieties of lettuce seed:

Great Lakes.
Imperial 456.

2. Section 4 (a) (6) (iii) is amended, with respect to lettuce seeds, to read as follows:

| | |
|---|---|
| Lettuce, more than | 300 |

This amendment shall become effective January 11, 1945.

Issued this 8th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

Approved January 3, 1945.

GROVER B. HILL,
*First Assistant War Food Administrator.*

[F. R. Doc. 45-619; Filed, Jan. 8, 1945; 11:41 a. m.]

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PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 46]

POOL AND BILLIARDS OPERATIONS ON THE SOUTH SIDE OF CHICAGO, ILL.

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 46, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 46 is hereby issued.

§ 1499.679 *Pool and billiard operations on the South Side of Chicago, Illinois*—(a) *Dollar-and-cents maximum prices for pool and billiard operations on the South Side of Chicago, Illinois.* (1) On and after the effective date of this supplementary service regulation, the maximum prices established by RMPR 165 for pool and billiards establishments located on the South Side of Chicago, Illinois, as defined herein are modified and henceforth shall be as follows:

(i) *Per game charges:*
  (*a*) 7¢ for two or less players
  (*b*) 2½¢ for each additional player
(ii) *Per hour charges:*
  (*a*) 60¢ per table
  (*b*) Charges less than an hour on a proportionate basis.

(b) *Posting.* Within thirty days after the effective date of this Supplementary Service Regulation No. 46 all pool and billiards establishments subject to this regulation shall post the maximum rates for pool and billiards as established by this regulation in a manner plainly visible to, and understandable by, the patrons of the establishment.

The posting shall be in the following form:

The OPA has established maximum prices for pool and billiard games in establishments in this area. Prices in excess of these charges are in violation of OPA regulations and should be reported at once to the local War Price and Rationing Board.

(i) *Per game charges:*
  (*a*) 7¢ for two or less players
  (*b*) 2½¢ for each additional player
(ii) *Per hour charges:*
  (*a*) 60¢ per table
  (*b*) Charges less than an hour on a proportionate basis.

(c) *Definitions.* "South Side of Chicago, Illinois" means that area, within the corporate limits of the city of Chicago, Illinois, which is bound on the north by Cermak Road (Twenty-second Street), on the east by Cottage Grove Avenue, on the south by Sixty-third Street, and on the west by Wentworth Avenue.

"Pool and billiard establishments" as used in this Supplementary Service Regulation refers to the physical location of the place of business or recreation where pool and/or billiards are played.

(d) The prices established by this Supplementary Service Regulation are subject to revision or modification by the Office of Price Administration at any time.

This Supplementary Service Regulation No. 46 shall become effective January 13, 1945.

Issued this 8th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45-621; Filed, Jan. 8, 1945; 11:44 a. m.]

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PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 201]

REWEIGHING AND RESAMPLING OF COTTON

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

1. Section 8.2 (b) (7) (iii) (Reweighing and resampling of government-owned cotton of the 1944-45 crop) is revoked.

2. Section 8.2 (b) (7) (iv) is renumbered section 8.2 (b) (7) (iii).

3. A new section 8.2 (b) (10) is added to read as follows:

(10) *Reweighing and resampling.* Unless a warehouseman elects as hereinafter provided in subparagraph (ii) to retain his charges as established by § 1499.2 of the General Maximum Price Regulation, maximum charges for reweighing and resampling, including all necessary ranging, shall be as specified in subdivision (i):

(i) Reweighing (including furnishing weight sheets) or Resampling (including furnishing one set of samples and delivering samples locally):

| | *Cents per bale* |
|---|---|
| (*a*) Reweighing at time of shipment or compression or reweighing at time of unloading if this service is not included in receiving charge | 10 |
| (*b*) Resampling at time of shipment or compression or resampling at time of unloading if this service is not included in the receiving charge | 10 |
| (*c*) Reweighing, except at time of unloading, shipment or compression | 20 |
| (*d*) Resampling, except at time of unloading, shipment or compression | 20 |
| (*e*) Reweighing and resampling, except at time of unloading, shipment or compression | 30 |
| (*f*) Drawing an extra or double sample at time of any sampling | 10 |
| (*g*) The above charges are subject to emergency surcharges as provided in Section 8.2 (b) (6). | |

(ii) Any warehouseman who desires to continue the use of the maximum prices for reweighing, resampling, and ranging incident thereto, otherwise established by the General Maximum Price Regulation plus surcharges permitted by section 8.2 (b) (6) may do so provided notice is furnished to the Director of the Transportation and Public Utilities Division, Office of Price Administration, Washington, D. C., on or before February 15, 1945.

Warehousemen may make separate elections for each warehouse operated by them, but may not make separate elections for particular charges, and may not elect to use these charges and continue to assess ranging in connection with reweighing and resampling, except ranging for reweighing and resampling to be performed by outside parties.

This amendment shall become effective January 13, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of January 1945.

JAMES F. BROWNLEE,
*Acting Administrator.*

[F. R. Doc. 45-620; Filed, Jan. 8, 1945; 11:46 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16210; 9 F.R. 1716, 3094, 5076, 5805, 8932.

## TITLE 43—PUBLIC LANDS: INTERIOR

### Chapter I—General Land Office

Appendix—Public Land Orders

[Public Land Order 256]

UTAH

REVOKING PUBLIC LAND ORDER 130 AND WITHDRAWING PUBLIC LANDS FOR CLASSIFICATION

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 130, issued May 26, 1943, which temporarily withdrew and reserved the therein-described public lands for classification and for prospecting and development under the mineral leasing laws, is hereby revoked and, subject to valid existing rights, the public lands contained in the following-described areas are withdrawn and reserved from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and reserved for classification under the jurisdiction of the Secretary of the Interior:

SALT LAKE MERIDIAN

T. 22 S., R. 19 E.,
Secs. 10, 11, 14, 15, secs. 22 to 27, inclusive; Sec. 36.
T. 22 S., R. 20 E.,
Secs. 30, 31, and 32.
T. 23 S., R. 20 E.,
Secs. 3 to 6, secs. 8 to 17, and secs. 21 to 27, inclusive;
Secs. 34, 35, and 36.
T. 24 S., R. 20 E.,
Secs. 34, 35, and 36.
T. 25 S., R. 20 E.,
Secs. 1, 2, 3, 11, 12, 13, 14, and 24.
T. 26 S., R. 20 E.,
Secs. 22 to 26, inclusive;
Sec. 27, E½;
Sec. 34, E½;
Secs. 35 and 36.
T. 27 S., R. 20 E.,
Secs. 1 and 2;
Sec. 7, S½;
Sec. 8, S½;
Secs. 9 to 24, inclusive.
T. 28 S., R. 20 E.,
Secs. 14 to 23, and secs. 26 to 32, inclusive.
T. 29 S., R. 20 E.,
Secs. 5, 6, and secs. 32 to 36, inclusive.
T. 29½ S., R. 20 E.,
Secs. 33 to 36, inclusive.
T. 30 S., R. 20 E.,
Secs. 1, 2, and 3.
T. 23 S., R. 21 E.,
Secs. 17 to 36, inclusive.
T. 24 S., R. 21 E., unsur.
Secs. 1 to 18, inclusive.
T. 25 S., R. 21 E.,
Sec. 7, secs. 17 to 23, and secs. 26 to 30, inclusive.
Secs. 32 to 36, inclusive.
T. 26 S., R. 21 E.,
Secs. 1, 2, 3, 4, 11, 12, 13, 30, 31, 32, and 33.
T. 27 S., R. 21 E.,
Secs. 3 to 10, inclusive.
T. 30 S., R. 21 E.,
Sec. 6.
T. 24 S., R. 22 E.,
Secs. 1, 2, 3, and secs. 10 to 15, inclusive.
T. 25 S., R. 22 E.,
Secs. 1 and 12.
T. 26 S., R. 22 E.,
Secs. 5 to 10, secs. 14 to 29, and secs. 33 to 36, inclusive.
T. 24 S., R. 23 E.,
Secs. 1, 2, 3, secs. 7 to 18, secs. 21 to 28, and secs. 33 to 36, inclusive.
T. 25 S., R. 23 E.,
Secs. 1 to 12, secs. 14 to 18, secs. 20 to 23, and secs. 26, 27, 28, 34, and 35.
T. 24 S., R. 24 E., partly unsur.
Secs. 6, 7, and secs. 15 to 36, inclusive.
T. 29 S., R. 24 E.,
Secs. 34 and 35.
T. 29½ S., R. 24 E.,
Secs. 25, 26, 35, and 36.
T. 30 S., R. 24 E.,
Secs. 1 and 12.
T. 30 S., R. 25 E.,
Secs. 5 to 9, 15 to 18, 20 to 23, inclusive, 26 and 27.

The gross area of the public and nonpublic lands aggregates approximately 210,650 acres, of which 179,566.68 acres are undisposed of public domain and 2,321.64 acres have been patented with some minerals reserved to the United States.

This order shall not otherwise become effective to change the status of the restored lands until 10:00 a. m. on the 63d day from the date on which it is signed, whereupon such restored lands shall, subject to valid existing rights, become subject to application, petition, location, or selection, as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the vacant and unreserved public lands affected by this order, shall be subject to (1) application under the homestead or desert land laws, or the Act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the Act of September 27, 1944 (Public Law 434—78th Congress), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications of the classes described in item (2) are entitled to priority over applications by veterans. The applications filed by veterans will be considered in the order of their filing.

For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m., on the first day of the 90-day period, will be treated as simultaneously filed.

(b) Commencing at 10:00 a. m. on the 91st day after the effective date of this order, any of the lands remaining unreserved and unappropriated will become subject to such application, petition, location, or selection as may be authorized by the public land laws, by the public generally. These applications will be considered in the order of their filing.

Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, will be treated as simultaneously filed.

Veterans should accompany their applications with certified copies of their certificates of discharge. Persons wishing to assert preference rights, through settlement or otherwise, and those having equitable claims, should file their applications under the appropriate public land laws, accompanied by duly corroborated affidavits in support thereof, setting forth in detail all relevant facts regarding their claims.

Applications for these lands will be governed by the provisions of 43 CFR 295.8 (Circ. 824, May 22, 1914, 43 L. D. 254), and 43 CFR Part 296, to the extent that such regulations are applicable. Applications under the Act of June 1, 1938, will be governed by the provisions of 43 CFR Part 257 (Circ. 1470a, August 10, 1942).

HAROLD L. ICKES,
*Secretary of the Interior.*

JANUARY 4, 1945.

[F. R. Doc. 45-481; Filed, Jan. 5, 1945; 4:01 p. m.]

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[Cir. 1592]

### PART 194—POTASSIUM PERMITS AND LEASES

This part is hereby completely revised to read as follows:

Sec.
194.1 Purpose of regulations.

POTASSIUM PROSPECTING PERMITS

194.2 Statutory authority.
194.3 Qualifications of applicants.
194.4 Area and description.
194.5 Rights under permit.
194.6 Form and contents of application.
194.7 Reward for discovery.
194.8 Royalty under permit.
194.9 Bonds.
194.10 Form of permit.
194.11 Extensions of time under permits.

COMPETITIVE POTASSIUM LEASES

194.12 Statutory authority.
194.13 Qualifications of applicants.
194.14 Area and description.
194.15 Royalty and rentals.
194.16 Leases for potassium deposits and associated minerals.
194.17 Applications to lease lands known to contain potassium deposits.
194.18 Disposition of applications.
194.19 Notice of lease offer.
194.20 Auction of lease.
194.21 Right to reject bids.
194.22 Action by bidder.
194.23 Action by district land office, after notice to high bidder.
194.24 Form of lease.
194.25 Operations.
194.26 Limitation on holdings.
194.27 Assignments and subleases.

APPLICATIONS AND CLAIMS EXCEPTED FROM OPERATION OF ACT OF FEBRUARY 7, 1927

194.28 Completion of pending applications and prior claims.

AUTHORITY: §§ 194.1 to 194.27, inclusive, issued under sec. 32, 41 Stat. 450, sec. 5, 44 Stat. 1058, 30 U.S.C. 189, 285.

§ 194.1 *Purpose of regulations.* In order to provide more adequately for the proper development in different areas and for conservation of the potassium resources on the public domain so as to assure sufficient supplies of potassium and associated minerals to meet current

and future needs of the United States and to guard against monopoly, the regulations in this part, superseding existing regulations on the subject, are hereby promulgated. "Potassium deposits" used in the regulations in this part shall include the "associated deposits" described in the act of February 7, 1927, unless the context otherwise requires.

POTASSIUM PROSPECTING PERMITS

§ 194.2 *Statutory authority.* Section 1 of the act of February 7, 1927 (44 Stat. 1057, 30 U.S.C. 281), authorizes the Secretary of the Interior, under such rules and regulations as he may prescribe, to issue prospecting permits, for a period not to exceed 2 years, for the exploration of the land described therein for chlorides, sulphates, carbonates, borates, silicates, or nitrates of potassium.

§ 194.3 *Qualifications of applicants.* Permits may be issued to (a) citizens of the United States, (b) associations of such citizens, (c) or a corporation organized under the laws of any State or Territory thereof. If applicants who have filed for the same land are found to be equally qualified under the applicable regulations and orders, the issuance of a permit for such land will be in accordance with the order in which the applications were filed.

§ 194.4 *Area and description.* A permit may be issued for not more than 2,560 acres of public lands of the United States in reasonably compact form, by legal subdivisions if surveyed; if unsurveyed, by metes and bounds description.

§ 194.5 *Rights under permit.* The permit will confer upon the recipient the exclusive right to prospect for potassium deposits in the lands. In the exercise of this right the permittee shall be authorized to remove from the premises only such material as may be necessary to experimental work and the demonstration of the existence in commercial quantities of any such deposits.

§ 194.6 *Form and contents of application.*[1] An application for permit, under oath, should be filed with the register of the proper district land office in which the land is located or if the land is in a State in which there is no district land office, in the General Land Office. After due notation by the register he shall promptly forward the application to the Commissioner for his consideration and submission to the Geological Survey for a report as to whether the lands are properly subject to permit. Upon receipt by the Commissioner of such a report, if favorable, the application will be transmitted to the Secretary with appropriate recommendation. No specific form of application is required, but it should cover, in substance, the following points:

(a) Applicant's name and address.

(b) Proof of citizenship of applicant by stating whether native-born or naturalized, and if naturalized, the date of naturalization, the court in which naturalized and the number of the certificate, if known; if a woman, whether married or single, and if married, the date of marriage and the citizenship of the husband; if a corporation, by showing the name, residence, citizenship of, and amount of stock held by each of its stockholders, separately listing those of alien citizenship, and filing a certified copy of its articles of incorporation.

(c) A statement of all holdings by the applicant of permits and leases under this act and pending applications therefor, and interests directly and indirectly held in such permits and leases. If the applicant is a corporation, a separate showing of the holdings of any stockholder owning 5% or more of the stock of any class must be furnished; and the holdings of any other stockholder must be furnished on request.

(d) Description of the land for which permit is desired, by legal subdivisions if surveyed, and by metes and bounds if unsurveyed, in which latter case, if deemed necessary, a survey sufficient to identify and segregate the land may be required before the permit is granted; also a statement that to the best of the applicant's knowledge the land is not being held or claimed by others.

(e) Reasons why the land is believed to offer a favorable field for prospecting, including a statement of the prospective value of the land for other minerals.

(f) Detailed showing as to the proposed method of prospecting and conducting operations, the diligence with which such operations will be carried on and the amount of capital available therefor.

(g) Statement of the applicant's experience in operations of this nature, together with references as to character, reputation, and business standing.

§ 194.7 *Reward for discovery.* A permittee who shows to the satisfaction of the Secretary that, prior to the expiration of his permit, he has made a discovery of valuable potassium deposits within the area of the permit, is entitled, under section 2 of the act of February 7, 1927 (44 Stat. 1057, 30 U.S.C. 282), to a lease, substantially in the form contained in section 194.24, of any or all of the permit land chiefly valuable therefor, the area to be taken in compact form. Such a discovery must be one which demonstrates the existence of potassium deposits in commercial quantities. In addition, the permittee shall disclose in such showing any change in the information contained in his application for the permit. The lease will be issued at such royalty rate and acreage rental as may be fixed pursuant to sections 2 and 3 of the act. If the land is unsurveyed, the applicant, after he has been awarded the right to a lease, but before the issuance thereof, will be required to deposit with the district cadastral engineer of the public survey office of the State or district in which the land is located the estimated cost of making a survey of the lands, any balance remaining after the work is completed to be returned. This survey will be an extension of the public land surveys over the tract applied for, the leased land to be conformed to legal subdivisions of such survey when made.

§ 194.8 *Royalty under permit.* Until the permittee obtains a lease, which when granted shall in this respect be retroactive to the date of the filing of his application, he shall pay to the United States 12½ per centum of the gross value of all potassium compounds and related products secured by him from the lands embraced within his permit and sold or otherwise disposed of or held by him for sale or other disposition.

§ 194.9 *Bonds.* Where an application includes reserved deposits in lands theretofore entered or patented with reservation of potassium deposits to the United States pursuant to the Act of July 17, 1914 (38 Stat. 509, 30 U.S.C. 121–123), or where the lands constitute a portion of a reclamation project, the applicant will be required prior to issuance of the permit to furnish a bond with qualified corporate surety in the sum of $1,000 or such other amount as may be fixed, conditioned against damage to the crops and improvements of the surface owner, or damage to the reclamation project or water supply thereof.

A bond with qualified corporate surety in the sum of $1,000, or such other amount as may be fixed, conditioned against failure of the permittee to comply with the provisions of paragraph 6 of the permit, may be required either before or after the permit is issued, where the conditions are such as to warrant requiring such bond.

§ 194.10 *Form of permit.* The form of permit will be in substance as follows:

UNITED STATES DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

District Land Office _____
Serial No. _____

*Potassium Prospecting Permit*

*Know all men by these presents,* That the Secretary of the Interior, under and by virtue of the act of Congress entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927 (44 Stat., 1057), has granted and does hereby grant a permit to _____ of the exclusive right for a period of two years from date hereof to prospect the following described lands _____ for chlorides, sulphates, carbonates, borates, silicates, or nitrates of potassium, but for no other purpose, upon the express conditions following:

1. To mark each corner of the outer boundaries and post a notice hereof in a conspicuous place on the land within 90 days, and to begin prospecting for said minerals within six months from date hereof, and diligently prosecute the exploratory and experimental work during the period of the permit, in manner and extent as follows, to-wit:

2. To remove from said premises only such material as may be necessary to experimental work and the demonstration of the existence of such deposits in commercial quantities. Until the permittee obtains a lease, which when granted shall in this respect be retroactive to the date of the filing of his application, he shall pay to the United States 12½ per cent of the gross value of all potassium compounds and related products secured by him from the lands embraced within his permit and sold, or otherwise disposed of, or held by him for sale or other disposition.

3. To afford all facility for inspection of such exploratory work on behalf of the Secretary of the Interior, and to report fully when required all matters pertaining to the

[1] For amount of filing fee required with application, see § 191.5.

character, progress and results of such exploratory work, and to that end to keep and maintain such accounts, logs, or other records as the Secretary of the Interior may require.

4. Not to assign or transfer the permit granted hereby without the express consent in writing of the Secretary of the Interior.

5. Not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin and to require an identical provision to be included in all subcontracts.

To carry out, at the expense of the permittee, all reasonable orders of the Secretary of the Interior, or his authorized representatives (district mining supervisors, U. S. Geological Survey), issued in pursuance of the operating regulations; to carry on all operations hereunder in accordance with approved methods and practice and in conformity with the operating regulations to the satisfaction of said representatives, including the cementing and casing of all drill holes and the proper conditioning of other excavations or workings; to take all reasonable precautions to prevent waste of or damage to mineral deposits, injury to life, health, or property, or economic waste; and to repair promptly any damage to mineral deposits or mineral-bearing formations resulting from his operations.

7. To furnish such bond or bonds with qualified corporate surety as the Secretary of the Interior may at any time require, conditioned against the failure of the permittee to comply with the provisions of the permit and against damage to the crops and improvements of any surface owner entitled to such bond, or damages to any reclamation project embracing any of the lands herein described.

Expressly reserving to the Secretary of the Interior the right to permit for joint or several use such easements or rights of way upon, through, or in the lands covered hereby as may be necessary or appropriate to the working of the same or of other lands containing the deposits described in said act; and further reserving the right and authority to cancel this instrument for failure of the permittee to exercise due diligence in the execution of the prospecting work in accordance with the terms hereof.

Valid existing rights acquired prior hereto on the lands described herein will not be affected hereby.

Dated ----------

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*Secretary of the Interior.*

§ 194.11 *Extensions of time under permits.* By the Act approved May 7, 1932 (47 Stat. 151, 30 U.S.C. 287), the Secretary was authorized to grant an extension of time for a period of 2 years on any prospecting permit issued under the Act of February 7, 1927 (44 Stat. 1057, 30 U.S.C. 281–286).

A permit may be extended only if the permittee has drilled at least one adequate test well on the permit area during the 2-year period for which the permit was granted. The application for extension must be filed in the land office having jurisdiction over the land involved within the 90-day period prior to the expiration of the 2-year period for which the permit issued. The application should show what efforts the permittee has made to comply with the terms of his permit, such showing to be corroborated, if possible, by an affidavit of at least one disinterested person having actual knowledge of the facts. The application should also show what plans have been made for continuing exploratory work and contain information tending to show that the exploratory program may be completed within the period of the proposed extension.

In any case where the permittee is required to maintain a bond under his permit, he must furnish with his application for extension a properly executed assent by the surety to the extension of his bond to cover the life of the permit, if extended, or furnish a new bond.

Since the life of a potassium prospecting permit may be extended beyond the 2 years for which granted, it is a bar to other filings under this Act for the same land until its cancellation has been noted on the records of the district land office.

COMPETITIVE POTASSIUM LEASES

§ 194.12 *Statutory authority.* Section 3 of the act of February 7, 1927 (44 Stat. 1057, 30 U. S. C. 283), authorizes the Secretary under such general regulations as he may adopt, to lease, for the production of potassium deposits public lands known to contain such deposits in commercial quantity and character and found in some or any of the forms described in said act. Invitations to bid for such leases may be made by the Secretary in accordance with the procedure hereinafter set forth. Leases will be issued for periods of 20 years, with preferential right in the lessee to renew the lease for successive periods of 10 years, upon such reasonable terms and conditions as may be prescribed by the Secretary, unless otherwise provided by law at the expiration of any such period.

§ 194.13 *Qualifications of applicants.* Applications for leases containing the information required in § 194.17 may be filed in the proper district land office in which the land is located, or if the land is in a State in which there is no district land office, in the General Land Office, by citizens of the United States, associations of such citizens, or corporations organized under the laws of any State or Territory thereof, the qualifications of the applicant in this respect to be fully covered by the application. The filing of such an application will not give the applicant a preference right to a lease.

§ 194.14 *Area and descriptions.* Leases are authorized by the terms of the Act for an area not exceeding 2,560 acres, but will be granted only for such area as may be shown to the satisfaction of the Secretary to contain commercially valuable potassium deposits and will be limited to lands reasonably compact in form.

§ 194.15 *Royalty and rentals.* The rate of royalty will be fixed prior to the offer of lands for lease, but in no case can the royalty rate be less than 2 per cent of the quantity or gross value of the output of the potassium compounds and other related products at the point of shipment to market.

The rentals fixed by the act are to be paid annually in advance—25 cents per acre or fraction of an acre for the first calendar year or fraction thereof, 50 cents per acre for the second, third, fourth and fifth years, respectively, and $1 per acre for each year thereafter, such rental for any year being credited against royalties accruing for that year.

§ 194.16 *Leases for potassium deposits and associated minerals.* Under section 4 of the act of February 7, 1927 (44 Stat. 1058, 30 U. S. C. 284), potassium leases may also provide for the development of sodium, magnesium, aluminum, or calcium deposits, in any of the forms described in said section, associated with the potassium deposits, on terms and conditions not inconsistent with the sodium provision of the act of February 25, 1920, as amended. The terms of the lease, including rate of royalty, rentals, and production requirements, will be in accord with the provisions of both acts.

§ 194.17 *Applications to lease lands known to contain potassium deposits.* Applications for leases must be under oath and should be filed in the proper district land office in which the land is located. If the land is in a State in which there is no district land office, they should be filed in the General Land Office. No specific form of application is required, and no blanks will be furnished, but it should cover, in substance, the following points:

(a) Applicant's name and address.

(b) Proof of citizenship of applicant in accordance with § 194.6 (b), the qualification of an applicant for lease being the same as to citizenship as required of an applicant for prospecting permit.

(c) A statement of applicant's holdings in accordance with § 194.6 (c).

(d) A description of the land for which lease is desired, by legal subdivisions if surveyed, and by metes and bounds if unsurveyed in which latter case the description should be connected to a corner of the public land surveys, or to some permanent landmark, if a public survey corner is not available. When the land is surveyed, the survey will be an extension of the public surveys over the tract applied for and the leased land will be conformed to the legal subdivisions of such survey.

(e) Evidence that the land is valuable for its potassium content, with a statement as to the character and extent and mode of occurrence of the potassium deposits in the lands applied for; also the prospective value of the land for magnesium, aluminum, sodium, bromine, iodine, calcium, oil and gas, or other substances, and the ability of the applicant to produce commercially the potassium deposits in the land in conformance with conservation and sound business practices.

(f) Detailed method of the process of mining and production to be employed, the diligence with which such operations will be carried on, the contemplated investment in mining development, reduction and refinery works and the amount of capital available therefor.

§ 194.18 *Disposition of applications.* (a) The application will be given current serial number by the register, noted on his records, and transmitted to the Commissioner of the General Land Office.

accompanied with a statement as to the status of the lands embraced therein.

(b) Upon receipt of an application in the General Land Office, it will be referred to the Geological Survey for a report and recommendation as to whether the lands or deposits are properly subject to lease and as to the minimum terms on the basis of which the lease should be offered for sale. Upon receipt of such a report, if favorable, the application will be transmitted to the Secretary with appropriate recommendation. If the Secretary authorizes the offer of the lands or deposits for lease, the lands or deposits will be advertised for lease to the bidder offering the highest bonus therefor, *Provided*, That upon a satisfactory showing by the owner of an adjacent lease bidding at the sale that because of the depletion of the potassium deposits then under his control, the offered lands are essential to the continuation of his mining operations the Secretary, upon a finding to that effect and that the public interest would best be served thereby, may award the lands or deposits to the owner of such adjacent lease upon payment of the highest amount bid as bonus.

§ 194.19 *Notice of lease offer.* The register of the appropriate district land office will be directed to publish notice of the offer of the lands or deposits for lease for a period of 30 days, or such other period as may be deemed advisable, in a newspaper of general circulation to be designated by the Commissioner of the General Land Office in the county in which the lands are situated, or in such other paper or papers as the Secretary may direct. Notice must also be posted in the district land office during the period of publication. The notice for publication and posting shall state the place where and the date and hour on which bids will be received and shall describe the land, the terms, including rental, royalty and minimum investment, and whether the sale of lease will be made by sealed bids or at public auction at the time fixed to the qualified bidder offering the highest bonus for the privilege of leasing the lands or deposits on the terms set forth.

Publication of the offer will be made at the expense of the Government.

All bidders at any public sale of leases are warned against committing any act by intimidation, combination, or unfair management to hinder or prevent bidding thereat, in violation of section 59 of the Criminal Code of the United States, approved March 4, 1909 (35 Stat. 1099, 18 U.S.C. 113).

§ 194.20 *Auction of lease.* Where the lease is to be sold at public auction the register, at the time fixed in the notice, will offer the land or deposits for lease in that manner at his office on the terms and conditions fixed in the notice to the qualified bidder of the highest amount offered as a bonus for the privilege of leasing the land, subject to the approval of the Secretary. The high bidder must deposit with the register on the day of sale a certified check or cash, for one-fifth of the amount of his bid, such sum to be deposited by the register in his account "deposits, unearned proceeds, lands, etc."

§ 194.21 *Right to reject bids.* The right is reserved by the Secretary to reject any and all bids; and should a bid be rejected, the deposit made by the bidder will be returned.

§ 194.22 *Action by bidder.* The high bidder will be allowed 30 days from date of auction, or, where the sale is by sealed bids, 30 days from receipt of notice that his bid has been accepted by the Secretary within which (a) to file in the district land office (1) a lease, duly executed by him in quintuplicate following the form prescribed by § 194.24; (2) evidence of qualifications as prescribed by § 194.17, unless such evidence has theretofore been filed; (3) the bond required by section 2 (c) of the lease, which may be either a corporate surety bond or United States bonds in lieu thereof pursuant to the act of February 24, 1919 (40 Stat. 1148, 6 U.S.C. 15); and (2) to pay the remainder of the bonus bid by him and the annual rental for the first year of the lease. In case of default, the amount deposited by the bidder will be forfeited, and disposed of as other receipts under the Mineral Leasing Act.

§ 194.23 *Action by district land office, after notice to the high bidder.* At the end of the 30 days allowed the high bidder, or sooner, if the foregoing be complied with by him, the district land office will forward by special letter all papers with full report of action taken.

§ 194.24 *Form of lease.* The form of lease will be in substance as follows:

UNITED STATES DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

District Land Office_____
Serial No_____

*Potassium Lease*

This indenture of lease entered into in quintuplicate this _____ day of _____, 19____, by and between the United States of America, party of the first part, hereinafter called the lessor by the Secretary of the Interior, and _____, of _____, party of the second part, hereinafter called the lessee, under, pursuant, and subject to the terms and provisions of the Act of Congress approved February 7, 1927 (44 Stat. 1057), entitled "An Act to promote the mining of potash on the public domain," hereinafter referred to as the Act, which is made a part hereof, witnesseth:

SECTION 1. *Purposes.* That the lessor, in consideration of the rents and royalties to be paid, and the conditions and covenants to be observed as herein set forth, does hereby grant and lease to the lessee the exclusive right and privilege to mine, remove, and dispose of all the potassium and associated deposits in, upon, or under the following-described tracts _____, containing _____ acres, more or less, together with the right to construct and maintain thereupon all works, buildings, plants, waterways, roads, telegraph or telephone lines, reservoirs or other structures necessary to the full enjoyment hereof, together also with the right to use any timber, stone, or other materials on said land in connection with the operations to be conducted hereunder, for a period of 20 years, with preferential right in the lessee to renew the same for successive periods of 10 years under such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the expiration of any such period: *Provided*, That this lease shall extend only to or include any right or interest in the lands, or the minerals therein, reserved to the United States under any entry that may be allowed, or patent that may issue, or may have issued, with a reservation of minerals to the United States.

SEC. 2. In consideration of the foregoing the lessee hereby agrees:

(a) *Investment.* To invest in actual development or improvements upon the land leased, or for the benefit thereof, the sum of _____ dollars, of which sum not less than one-third shall be so expended during the first year succeeding the execution of this instrument and a like sum each of the two succeeding years, unless sooner expended; and submit annually, at the expiration of each year for the said period, an itemized statement of the amount and character of said expenditure during each year.

(b) *Minimum production.* Beginning with the fourth full calendar year of the lease, except when operations are interrupted by strikes, the elements or casualties not attributable to the lessee, to produce each year potassium or associated deposits from the premises covered hereby, to the gross value of not less than _____ dollars at the point of shipment, or to pay royalty on said gross value if the value of actual production be less.

(c) *Bond.* To furnish and maintain a bond in the sum of $_____, conditioned upon the expenditure of the amount specified in (a) hereof and compliance with the terms and provisions of this lease.

(d) *Royalty.* To pay the lessor for the output of potassium compound and all other related products, the royalty of _____ per cent of the gross value thereof at the point of shipment to market. Such royalty shall be paid monthly in cash or delivered in kind at the option of the lessor. It is expressly agreed that the Secretary of the Interior may establish reasonable minimum values for purposes of computing royalty on any potassium compounds or other related prouct, due consideration being given to the highest price paid for a part of a majority of the production of like quality products from the same general area, the price received by the lessee, the posted price, and other relevant matters.

When paid in value such royalty on production shall be due and payable monthly on the last day of the calendar month following the calendar month in which produced.

When paid in kind royalty products shall be delivered in merchantable condition at the point of shipment without cost to the lessor, unless otherwise agreed to by the parties hereto, at such time and in such storage compartments provided by the lessee as may reasonably be required by the lessor: *Provided*, That the lessee shall not be required to hold the royalty product in storage for more than 60 days beyond the end of the month in which produced: *And, provided further*, That the lessee shall in no manner be responsible or held liable for the loss or destruction of the royalty product in storage from causes over which the lessee has no control.

(e) *Rents.* To pay the lessor annually, in advance, beginning with the date of the execution of the lease, the following rentals: Twenty-five cents per acre for the first calendar year or fraction thereof; 50 cents per acre for the second, third, fourth and fifth years, respectively, and $1 per acre for each and every calendar year thereafter during the continuance of the lease, such rental for any year to be credited against the royalties as they accrue under this lease for that calendar year.

(f) *Payments.* Unless otherwise directed by the Secretary of the Interior, to make rental, royalty, or other payments to the lessor, to the order of the Treasurer of the United States, such payments to be tendered to the register of the district land office in which the lands are located or to the Commissioner of the General Land Office, if there is no district land office in the State in which the lands are located.

(g) *Taxes and wages.* Freedom of purchase. To pay when due, all taxes assessed and levied under the laws of the State upon the improvements, output of mines, or other rights, property, or assets of the lessee; to accord all workmen and employees complete freedom of purchase, and to pay all wages due workmen and employees at least twice each month in the lawful money of the United States.

(h) *Monthly statements.* To furnish monthly certified statements in detail in such form as may be prescribed by the lessor of the amount and value of output from the leasehold as a basis for determining amount of royalties. All books and accounts of the lessee shall be open at all times for the inspection by any duly authorized officer of the Department. Falsification of such statements shall be a ground for the cancellation of the lease as hereinafter provided.

(i) *Plats and reports.* To furnish annually a plat in the manner and form prescribed by the Secretary of the Interior showing all prospecting and development work on the leased lands, and other related information, with a report as to all buildings, structures, or other works placed in or upon said leased lands, as well as any buildings, reduction works, or equipment, situated elsewhere and owned or operated in conjunction with, or as a part of the operations conducted hereunder, accompanied by a report, in detail, as to the stockholders, business transacted, assets and liabilities of the lessee, together with a statement of the amount of potassium deposits and other minerals produced and secured by operations hereunder, and the cost of production thereof.

(j) *Potassium in solution.* Where the minerals are taken from the earth in solution, such extraction shall not be within 500 feet of the boundary line of leased lands without the permission of or unless directed by the Secretary of the Interior.

(k) *Diligence.* Prevention of waste. Health and safety of workmen. To develop and produce in commercial quantities, with reasonable diligence, skill and care in the operation of the property, the potassium and other mineral deposits susceptible of such production in the lands covered hereby; to carry out, at the expense of the lessee, all reasonable orders of the Secretary, or his authorized representatives (district mining supervisors, Geological Survey), issued in pursuance of the operating regulations; to carry on all mining, reducing, refining, and other operations in accordance with approved methods and practice and in conformity with the operating regulations to the satisfaction of said representatives; to take all reasonable precaution to prevent damage to mineral deposits, injury to life, health, or property, or economic waste; to restrict the workday to not exceeding eight hours in any one day for underground workers, except in cases of emergency; to employ no boy under the age of sixteen and no girl or woman, without regard to age, in any mine below the surface; to observe all laws relative to the health and safety of workmen and employees; and to provide excess at all times to mining and related productive operations for examination and inspection by authorized representatives of the lessor.

(l) *Fair employment practice.* Not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin, and to require an identical provision to be included in all subcontracts.

(m) *Forfeiture of lease.* To deliver up to the lessor in good order and condition and subject to the provisions of section 5 hereof on the termination of this lease as a result of forfeiture thereof pursuant to section 31 of the Act of February 25, 1920, the lands covered thereby, including all fixtures, machinery, improvements, and appurtenances, together with such personal property situated on any of said lands as may be necessary or convenient for the continued operation to the full extent and capacity of the leased premises.

(n) *Reserved deposits.* To comply with all statutory requirements where the surface of the lands embraced herein has been or shall hereafter be disposed of under the laws reserving to the United States the mineral deposits therein.

(o) *Assignment.* Not to assign this lease, or any interest therein, whether by direct assignment, operating agreement, working or royalty interest, or otherwise, not to sublet any portion of the leased premises, except with the consent in writing of the Secretary of the Interior. All such assignments or agreements must be submitted in triplicate within 90 days from the date of execution and must contain all of the terms and conditions agreed upon by the parties thereto. If the consideration expressed in the agreement fails to describe the true consideration, an accompanying affidavit must be submitted stating the consideration in full. The affidavit will be treated as confidential and not for public inspection.

(p) *Excess holdings.* To observe faithfully the provisions of section 27 of the Act of February 25, 1920, as amended, insofar as applicable hereto.

SEC. 3. The lessor expressly reserves:

(a) *Easements and rights of way.* The right to permit for joint or several use such easements or rights of way upon, through, or in the lands hereby leased, occupied, or used as may be necessary or appropriate to the working of the same, or of other lands containing the deposits described in this Act; and the treatment and shipment of the products thereof, by or under authority of the Government, its lessees or permittees, and for other public purposes.

(b) *Disposition of surface.* The right to dispose of the surface of the land embraced herein under existing law, or laws hereafter enacted, insofar as said surface is not necessary for use of the lessee in extracting and removing the deposits therein.

(c) *Monopoly and fair prices.* Full power and authority to carry out and enforce all the provisions of section 30 of said Act of February 25, 1920, to insure the sale of the production of said leased lands to the United States and to the public at reasonable prices, to protect the interests of the United States, to prevent monopoly, and to safeguard the public welfare.

(d) *Sale of production.* The right to purchase after one year's notice of intention to do so in specified quantities for a specified period up to one-fourth of the quantity of potassium produced from the leased land at the point of shipment to market at not more than prevailing wholesale prices, f. o. b. refinery, as determined by the Secretary. This shall be in addition to any royalty taken in kind.

SEC. 4. Surrender and termination of lease. The lessee may, on consent of the Secretary of the Interior first had and obtained, surrender and terminate this lease at any time after the first four years of the term herein provided for, by giving six months' notice in writing to the lessor, and upon payment of all rents, royalties, and other debts due and payable to the lessor, and upon payment of all wages or moneys due and payable to the workmen employed by the lessee, and upon a satisfactory showing to the Secretary of the Interior that the public interest will not be impaired; but in no case shall such termination be effective until the lessee shall have made provision for the preservation of any mines or productive works or permanent improvements on the lands covered by such relinquishment.

SEC. 5. Purchase of materials, etc., on termination of lease. That on the termination of this lease, by surrender or forfeiture, the lessor, his agent, licensee, or lessee, shall have the exclusive right, at the lessor's election, to purchase at any time within six months, at the appraised value thereof, any or all buildings, machinery, equipment and tools, whether fixtures or personalty, placed by the lessee in or on the land leased hereunder, save and except equipment such as underground timbering, supports, shaft linings, and well casings, necessary for the preservation of the mine or other development works, which shall be and remain a part of the realty without further consideration or compensation; that the purchase price to be paid for said buildings, machinery, equipment, and tools to be purchased as aforesaid shall be fixed by appraisal of three disinterested and competent persons (one to be designated by each party thereto and the third by the two so designated), the valuation of the three or a majority of them to be conclusive; that pending such election to purchase within said period of six months none of said buildings, or other property, shall be removed from their normal position; that at any time within a period of 90 days after election by the lessor not to purchase or after expiration of said period of six months without election by the lessor, the leasee shall have the privilege of removing from the premises said buildings and other property except said underground equipment and structure necessary for the preservation of the mine and other development works. Any materials, tools, appliances, machinery, structures, and equipment underground or on the surface located on the leased lands shall become the property of the lessor on expiration of the period of 90 days above referred to or such extension thereof as may be granted by the Secretary of the Interior.

SEC. 6. Judicial proceedings in case of default. If the lessee shall fail to comply with the provisions of the Act, or make default in the performance or observance of any of the terms, covenants, and stipulations hereof, or of the general regulations promulgated and in force at date hereof, and such default shall continue for 90 days after service of written notice thereof by the lessor, then the lessor may institute appropriate proceedings in a court of competent jurisdiction for the forfeiture and cancellation of this lease as provided in section 31 of the Act of February 25, 1920. A waiver of any particular cause of forfeiture shall not prevent the cancellation and forfeiture of this lease for any other cause of forfeiture, or for the same cause occurring at any other time.

SEC. 7. Heirs and successors in interest. It is further agreed that each obligation hereunder shall extend to and be binding upon, and every benefit hereof shall inure to, the heirs, executors, administrators, successors, or assigns of the respective parties hereto.

SEC. 8. *Unlawful interest.* It is also further agreed that no Member of or Delegate to Congress, or Resident Commissioner, after his election or appointment, or either before or after he has qualified, and during his continuance in office, and that no officer, agent, or employee of the Department of the Interior, shall be admitted to any share or part of this lease, or derive any benefit that may arise therefrom, and the provisions of section 8741 of the Revised Statutes and sections 114,

115 and 116 of the Criminal Code, approved March 4, 1909 (35 Stat. 1109, 18 U.S.C. 204–206), relating to contracts, enter into and form a part of this lease so far as the same may be applicable.

In witness whereof:

THE UNITED STATES OF AMERICA,
By ----------
*Secretary of the Interior, Lessor.*
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*Lessee.*

Witnesses:
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§ 194.25 *Operations.* Prospecting and mining operations under permits and leases will be governed by operating regulations, approved by the Secretary. Before beginning operations permittees and lessees should consult with the district mining supervisor of the Geological Survey for the area in which operations are to be conducted and obtain from him a copy of the operating regulations.

§ 194.26 *Limitation on holdings.* Section 5 of the act of February 7, 1927 (44 Stat. 1057, 30 U.S.C. 285) provides that the general provisions of the act of February 25, 1920 shall be applicable. The Secretary is given authority to prescribe necessary and proper rules and regulations, and in view of the provisions of amended section 27 of the latter act as to holdings of permits and leases of the minerals enumerated therein, no person, association, or corporation will be granted, either directly or indirectly or by approval of assignments, permits and leases, an area which, when added to the area already held under the act, exceeds in the aggregate 15,360 acres.

§ 194.27 *Assignments of leases and permits: subleases.* Leases may be assigned or subleased and permits may be assigned or transferred in whole or in part to qualified persons or corporations upon first obtaining consent of the Secretary. Assignments, subleases or transfers of permits and leases, whether by direct assignment, operating agreement, working or royalty interest, or otherwise, when submitted, must be filed in triplicate within 90 days from the date of execution and must contain all of the terms and conditions agreed upon by the parties thereto. If the consideration expressed in the agreement fails to describe the true consideration, an accompanying affidavit must be submitted stating the consideration in full. The affidavit will be treated as confidential and not for public inspection.

APPLICATIONS AND CLAIMS EXCEPTED FROM OPERATION OF ACT OF FEBRUARY 7,1927

§ 194.28 *Completion of pending applications and prior claims.* By section 6 of the act of February 7, 1927 (44 Stat. 1058, 30 U.S.C. 296) the act of October 2, 1917 (40 Stat. 287), is repealed, with provision that the repeal shall not affect pending applications for permits or leases filed prior to January 1, 1926, or valid claims existing at the passage of the act and thereafter maintained in compliance with the law under which initiated, which claims may be perfected under such law, including discovery.

As to potassium mining claims, only those claims may be patented which were initiated prior to and were valid existing claims on October 2, 1917, and have since been duly maintained as such.

FRED W. JOHNSON,
*Commissioner.*

Approved: January 4, 1945.

HAROLD L. ICKES,
*Secretary of the Interior.*

[F. R. Doc. 45-482; Filed, Jan. 5, 1945; 4:01 p.m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[Rev. SO 112, Amdt. 2]

PART 95—CAR SERVICE

DESTINATION FREE TIME ON FRESH OR GREEN FRUITS OR VEGETABLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of January, A. D. 1945.

Upon further consideration of Revised Service Order No. 112 (9 F.R. 11278) of September 11, 1944, and good cause appearing therefor:

*It is ordered,* That: Revised Service Order No. 112 (9 F.R. 11278) of September 11, 1944, be, and it is hereby, amended by adding the following provisions:

(g) *Extreme weather.* During the period when weather conditions exist as described in Rule 8, section A, Agent B. T. Jones' Tariff I. C. C. No. 3815, the provisions of this order are suspended. In lieu thereof the rules, regulations and charges provided in lawfully published tariffs shall apply.

(h) *Effective date.* This amendment shall become effective at 7:00 a. m., January 7, 1945.

(i) *Expiration date.* This order and all amendments shall expire at 7:00 a. m., December 1, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission.

*It is further ordered,* That a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
*Secretary.*

[F. R. Doc. 45-597; Filed, Jan. 8, 1945; 11:20 a. m.]

[Rev. SO 180, Amdt. 1]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of January, A. D. 1945.

Upon further consideration of Revised Service Order No. 180 (9 F.R. 12133) of October 2, 1944, and good cause appearing therefor:

*It is ordered,* That: Revised Service Order No. 180 (9 F.R. 12133) of October 2, 1944, be, and it is hereby, amended by adding the following provisions:

(e) *Extreme weather.* During the period when weather conditions exist as described in Rule 8, section A, Agent B. T. Jones' Tariff I. C. C. No. 3815, the provisions of this order are suspended. In lieu thereof the rules, regulations, and charges provided in lawfully published tariffs shall apply.

(f) *Effective date.* This amendment shall become effective at 7:00 a. m., January 7, 1945.

(g) *Expiration date.* This order and all amendments shall expire at 7:00 a. m., December 1, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission.

*It is further ordered,* That a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
*Secretary.*

[F. R. Doc. 45-596; Filed, Jan. 8, 1945; 11:20 a. m.]

## *Notices*

## CIVIL AERONAUTICS BOARD.

[Docket No. 503, et al.]

BRANIFF AIRWAYS, INC., ET AL.; MEMPHIS-OKLAHOMA CITY-EL PASO SERVICE

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Braniff Airways, Inc., American Airlines, Inc., Chicago and Southern Air Lines, Inc., Continental Air Lines, Inc., Delta Air Corporation, Eastern Air Lines, Inc., and the City of Birmingham, Alabama, for certificates and amendment of existing certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended, and investigation with respect to need for air transportation service.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and

1001 of said act, that oral argument in the above-entitled proceeding, as reopened on the limited issues of service to Wichita Falls and Lubbock, Texas, as proposed in the applications of American Airlines, Inc., and Continental Air Lines, Inc., is assigned to be held on January 15, 1945, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated: Washington, D. C., January 5, 1945.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
*Secretary.*

[F. R. Doc. 45-592; Filed, Jan. 8, 1945; 10:43 a. m.]

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[Dockets Nos. 1607 and 1084]

NORTHEAST AIRLINES, INC.

NOTICE OF HEARING

In the matter of the applications of Northeast Airlines, Inc., under section 401 (h) of the Civil Aeronautics Act of 1938, as amended, to consolidate its certificates of public convenience and necessity (except as to foreign service) into a single certificate designated as route No. 27, and to carry mail over that part of such route now known as the Mayflower route.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 401 (h) of said act, that a hearing in the above-entitled proceeding is assigned to be held on January 15, 1945 at 10 a. m. (eastern war time) in Room 1851 Commerce Building, Washington, D. C., before Examiner F. A. Law, Jr.

Dated: Washington, D. C., January 4, 1945.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
*Secretary.*

[F. R. Doc. 45-593; Filed, Jan. 8, 1945; 10:43 a. m.]

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## CIVIL SERVICE COMMISSION.

CONDITION OF APPORTIONMENT AT CLOSE OF BUSINESS SATURDAY, DECEMBER 30, 1944.

The apportioned classified Civil Service includes central offices physically located in Washington, D. C., or elsewhere. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service Act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment, a position in the apportioned service, the charge for his appointment continues to run against his state of original residence. Certification of eligibles are first made from states which are in arrears. The apportionment is observed in certifications except in low salaried positions; but as persons who receive appointments in the Departmental Service under the War Service Regulations do not thereby acquire a permanent classified civil service status, their appointments are not charged to the apportionment.

| State | Number of positions to which entitled | Number of positions occupied |
|---|---|---|
| IN ARREARS | | |
| 1. Virgin Islands | 18 | 0 |
| 2. Puerto Rico | 1,385 | 51 |
| 3. Hawaii | 314 | 24 |
| 4. Alaska | 54 | 13 |
| 5. California | 5,119 | 1,512 |
| 6. Michigan | 3,896 | 1,482 |
| 7. Louisiana | 1,752 | 677 |
| 8. Arizona | 370 | 181 |
| 9. Texas | 4,754 | 2,435 |
| 10. Alabama | 2,100 | 1,212 |
| 11. Georgia | 2,315 | 1,338 |
| 12. Kentucky | 2,109 | 1,224 |
| 13. Ohio | 5,120 | 3,097 |
| 14. Mississippi | 1,619 | 982 |
| 15. South Carolina | 1,408 | 878 |
| 16. Oregon | 809 | 508 |
| 17. Arkansas | 1,445 | 980 |
| 18. Washington | 1,287 | 896 |
| 19. Indiana | 2,541 | 1,786 |
| 20. Nevada | 82 | 58 |
| 21. New Jersey | 3,083 | 2,225 |
| 22. New Mexico | 394 | 292 |
| 23. Illinois | 5,853 | 4,452 |
| 24. Wisconsin | 2,325 | 1,812 |
| 25. North Carolina | 2,647 | 2,107 |
| 26. Tennessee | 2,161 | 1,741 |
| 27. Idaho | 389 | 321 |
| 28. Connecticut | 1,267 | 1,063 |
| 29. Florida | 1,406 | 1,183 |
| 30. Rhode Island | 529 | 464 |
| 31. Missouri | 2,805 | 2,678 |
| 32. Delaware | 197 | 191 |
| 33. Utah | 408 | 405 |
| IN EXCESS | | |
| 34. Massachusetts | 3,199 | 3,205 |
| 35. New Hampshire | 364 | 375 |
| 36. Maine | 628 | 652 |
| 37. Pennsylvania | 7,338 | 7,638 |
| 38. Vermont | 266 | 277 |
| 39. Oklahoma | 1,732 | 1,846 |
| 40. West Virginia | 1,410 | 1,556 |
| 41. Iowa | 1,881 | 2,112 |
| 42. Montana | 415 | 481 |
| 43. Wyoming | 186 | 219 |
| 44. Colorado | 833 | 985 |
| 45. Minnesota | 2,069 | 2,475 |
| 46. North Dakota | 476 | 621 |
| 47. New York | 9,990 | 13,107 |
| 48. Kansas | 1,335 | 1,846 |
| 49. South Dakota | 476 | 822 |
| 50. Nebraska | 975 | 1,724 |
| 51. Virginia | 1,985 | 4,127 |
| 52. Maryland | 1,350 | 4,425 |
| 53. District of Columbia | 491 | 12,599 |

| | |
|---|---|
| Gains | 202 |
| Losses | 1,921 |
| Total appointments | 99,360 |

NOTE.—Number of employees occupying apportioned positions who are excluded from the apportionment figures under section 3, Rule VII, and the Attorney General's Opinion of August 25, 1934, 21,084.

[SEAL] L. A. MOYER,
*Executive Director and Chief Examiner.*

[F. R. Doc. 45-595; Filed, Jan. 8, 1945; 9:11 a. m.]

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## FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 5968]

REPORTER BROADCASTING CO.

NOTICE OF HEARING

In re application of Reporter Broadcasting Company (KRBC); dated, September 28, 1939; for construction permit; class of service, broadcast; class of station, broadcast; location, Abilene, Texas; operating assignment specified: Frequency, 1,470 kc; power, 1 kw; hours of operation, unlimited. File No. B3-P-2553.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of H. C. Cockburn, tr/as San Jacinto Broadcasting Company, Docket No. 6725, and Calcasieu Broadcasting Company (KPLC), Docket No. 6664, for the following reasons:

1. To determine the areas and populations which would gain primary service from the operation of Station KRBC, as proposed, and what other broadcast services are available to those areas and populations.

2. To determine the extent of any interference which might result from the simultaneous operation of KRBC, as proposed and Station XEAU, Tijuana, B. C., Mexico.

3. To determine whether the granting of this application would be consistent with the provisions of the North American Regional Broadcasting Agreement.

4. To determine whether the operation of Station KRBC, as proposed, would be consistent with the Standards of Good Engineering Practice, particularly as to the population residing within the predicted 250 mv/m contour ("blanket area").

5. To determine whether the proposed operation would serve an outstanding public need or national interest within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

6. To determine whether the granting of this application would otherwise be consistent with the policy announced by the Commission in its supplemental statement of policy of January 26, 1944.

7. To determine the extent of any interference which might result from the simultaneous operation of Station KRBC, as proposed, and the operation, as proposed, by the Calcasieu Broadcasting Company (KPLC) in application File No. B3-P-3623, Docket No. 6664, the operation, as proposed, by the application of San Jacinto Broadcasting Company (File No. B3-P-3661, Docket No. 6725), as well as the areas and populations affected by such interference, and what other broadcast services are available to those services and populations.

8. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

9. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of

a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141, and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: The Reporter Broadcasting Company, % M. B. Hanks, Radio Station KRBC, 984 Fourth Street, Hilton Hotel, Abilene, Texas.

Dated at Washington, D. C., January 5, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45-627; Filed, Jan. 8, 1945; 11:47 a. m.]

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[Docket No. 6727]

INDEPENDENT MERCHANTS BROADCASTING CO.

NOTICE OF HEARING

In re application of Independent Merchants Broadcasting Company (WLOL); dated, October 21, 1944; for construction permit to increase power and install new transmitter and changes in directional antenna for day and night use; class of service, broadcast; class of station, broadcast; location, Minneapolis, Minnesota; operating assignment specified: Frequency, 1330 kc; power, 5 kw; hours of operation, unlimited, directional antenna night and day. File No. B4-P-3737.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing upon the following issues:

1. To determine the areas and populations which may be expected to gain primary service should Station WLOL operate as proposed, and what other broadcast service is available to those areas and populations.

2. To determine the extent of any interference which would result from the simultaneous operation of Station WLOL as proposed and Stations KFH, WHBL, WFBC, and KROC.

3. To determine the areas and populations which may be expected to lose primary service from Stations KFH, WHBL, WFBC, and KROC should Station WLOL operate as proposed and what other broadcast services are available to those areas and populations.

4. To determine (1) whether the operation of Station WLOL as proposed would be consistent with the Standards of Good Engineering Practice, particularly as to population residing within the predicted 250 mv/m contour ("blanket area"); (2) whether interference would be expected if Station WLOL operated as proposed and (3) whether the applicant will assume full responsibility for and can promptly and satisfactorily adjust all reasonable complaints arising from excessively strong signals from the applicant's station.

5. To determine whether the granting of this application would serve an outstanding public need or national interest within the meaning of the supplemental statement of policy of January 26, 1944, and would otherwise comply with the conditions of that statement of policy.

6. To determine whether Station WLOL operating as proposed would provide primary service to (a) the business districts; (b) the residential districts; and (c) the metropolitan district of Minneapolis-St. Paul as contemplated by the Standards of Good Engineering Practice.

7. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisioins of §§ 1.102, 1.141, and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Independent Merchants Broadcasting Company, Radio Station WLOL, 1730 Hennepin Avenue, Minneapolis, Minnesota.

Dated at Washington, D. C., January 4, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45-628; Filed, Jan. 8, 1945; 11:48 a. m.]

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## FEDERAL POWER COMMISSION.

[Docket Nos. G-587, G-607, G-608]

GREENFIELD GAS CO., INC., ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

JANUARY 2, 1945.

In the matters of Greenfield Gas Company, Inc. and Greenfield Gas Company, Inc. v. Panhandle Eastern Pipe Line Company, Docket No. G-587; Panhandle Eastern Pipe Line Company, Docket No. G-607 and Eastern Indiana Gas Company, Docket No. G-608.

It appearing to the Commission that:

(a) On October 18, 1944, Greenfield Gas Company, Inc. filed an application in Docket No. G-587 seeking:

(1) A certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of approximately five miles of 3-inch transmission pipe line extending from Fortville, Indiana, in an easterly direction along Highway No. 67 to connect with an existing 4-inch pipe line of the Panhandle Eastern Pipe Line Company (Panhandle Eastern) extending from the latter's main transmission pipe line to Greenfield, Indiana; and

(2) An order of this Commission under section 7 (a) of the Natural Gas Act directing Panhandle Eastern to interconnect its aforemention 4-inch line with Greenfield's proposed 3-inch pipe line, and to sell and deliver nautral gas to Greenfield at such proposed interconnection;

(b) By letter dated October 28, 1944, a copy of the aforesaid application and complaint was served on Panhandle Eastern and on November 15, 1944, the latter filed its answer requesting that Greenfield's application and complaint be dismissed, or, in the alternative, that any proceedings thereon be abated;

(c) On December 18, 1944, Panhandle Eastern filed an application in Docket No. G-607 for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of the following described facilities:

3.7 miles of 3-inch transmission pipe line beginning at a point on Applicant's 4-inch pipe line (known as the Greenfield lateral), in section 7, Township 17 North, Range 7 East, Hancock County, Indiana, and extending in a westerly direction to a point near the corporate limits of the town of Fortville, in section 10, Township 17 North, Range 6 East, Hancock County, Indiana, together with metering and regulating stations;

(d) On December 19, 1944, Eastern Indiana Gas Company filed an application in Docket No. G-608 for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of the following described facilities:

(1) 3.7 miles of 3-inch transmission pipe line beginning at a point on Panhandle Eastern's 4-inch pipe line (known as the Greenfield lateral), in section 7, Township 17 North, Range 7 East, Hancock County, Indiana, and extending to a point near the corporate limits of Fortville, Hancock County, Indiana;

(2) One-half mile of 2-inch transmission pipe line extending from a point on the proposed 3-inch pipe line described in paragraph (d) (1), above, and extending in a northerly direction to the corporate limits of the town of Ingalls, Indiana;

(e) Pursuant to its order of December 11, 1944, a public hearing was begun in Docket No. G-587 on December 21, 1944, in Indianapolis, Indiana, and continued through December 22, 1944, upon which day the hearing was adjourned by the Commission's trial examiner subject to further order of the Commission;

(f) It is consistent with the public interest to resume the hearing with respect to the matters involved in Docket No. G-587;

(g) The above-entitled proceedings may involve substantially similar issues and facts;

(h) Good cause exists for consolidating the above matters for the purpose of hearing thereof.

The Commission orders that:

(a) The proceedings in Docket Nos. G–587, G–607, and G–608 be and they are hereby consolidated for the purpose of hearing.

(b) The public hearing in Docket No. G–587 be resumed and held, together with Docket Nos. G–607 and G–608, commencing on February 26, 1945, at 10:00 a. m. (e. w. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., concerning the matters involved and the issues presented in such proceedings.

(c) Interested State commissions may participate in this hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
*Secretary.*

[F. R. Doc. 45–501; Filed, Jan. 6, 1945; 10:34 a. m.]

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[Docket No. IT–5829]

ARKANSAS POWER & LIGHT CO.

ORDER SETTING HEARING

JANUARY 2, 1945.

Upon consideration of the reclassification and original cost studies of Electric Plant as at January 1, 1937, filed June 3, 1940, by Arkansas Power & Light Company; the Commission staff's report thereon served on the Company with the Commission's order of June 15, 1943, and the response thereto filed September 18, 1943, by the Company; the Commission staff's supplemental report served on the Company with the Commission's order of September 27, 1944, and the response thereto filed November 27, 1944, by the Company; and the Company's motion to dismiss filed November 20, 1944;

The Commission finds that:

It is appropriate to carry out the provisions of the Federal Power Act that a hearing be held in this matter as hereinafter provided;

The Commission orders that:

(a) A public hearing be held commencing February 20, 1945, at 10 a. m. (e. w. t.) in the Commission's Hearing Room, 1800 Pennsylvania Avenue, N.W., Washington, D. C., respecting the matters involved and the issues arising out of the proceedings in this matter;

(b) At such hearing the burden of proof to justify and to support by satisfactory proof every accounting entry, made or proposed to be made, which is brought into issue by the proceedings in this matter, shall be upon Arkansas Power & Light Company;

(c) At such hearing Arkansas Power & Light Company shall submit and support by satisfactory evidence an appropriate plan or plans for the disposition of any and all amounts which may, upon determination of the issues in this matter, be required to be classified in Account 107, Electric Plant Adjustments, or in Account 108.15, Common Utility Plant Acquisition Adjustments.

By the Commission.

[SEAL] LEON M. FUQUAY,
*Secretary.*

[F. R. Doc. 45–502; Filed, Jan. 6, 1945; 10:34 a. m.]

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[Docket No. G–595]

REYNOSA PIPE LINE CO.

ORDER ADVANCING DATE OF HEARING

JANUARY 4, 1945.

It appearing to the Commission that:

(a) On December 19, 1944, the Commission ordered that a public hearing in the above-entitled matter be held commencing on February 8, 1945, at 10 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

(b) Good cause exists for advancing the date of hearing as hereinafter provided.

The Commission orders that:

The date of the public hearing in the above-entitled proceeding is hereby advanced to commence on January 29, 1945, at 10 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
*Secretary.*

[F. R. Doc. 45–589; Filed, Jan. 8, 1945; 9:38 a. m.]

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[Docket No. G–599]

TENNESSEE GAS AND TRANSMISSION CO.

ORDER POSTPONING DATE OF HEARING

JANUARY 4, 1945.

It appearing to the Commission that:

(a) On December 12, 1944, the Comission ordered that a public hearing in the above-entitled matter be held commencing on January 29, 1945, at 10 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

(b) Good cause exists for postponing the date of hearing as hereinafter provided.

The Commission orders that:

The public hearing in the above-entitled proceeding is hereby postponed to February 8, 1945, at 10 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
*Secretary.*

[F. R. Doc. 45–588; Filed, Jan. 8, 1945; 9:38 a. m.]

## FEDERAL TRADE COMMISSION.

[Docket No. 5218]

AGAWAM WOOLEN CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the fourth day of January A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission.

*It is ordered,* That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered,* That the taking of testimony in this proceeding begin on Wednesday, January 24, 1945, at ten o'clock in the forenoon of that day (eastern standard time), in Special Masters Room, Post Office Building, Springfield, Massachusetts.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
*Secretary.*

[F. R. Doc. 45–511; Filed, Jan. 6, 1945; 11:19 a. m.]

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[Docket No. 5240]

STEVENS CLOTHING MANUFACTURING CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the fourth day of January, A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered,* That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered,* That the taking of testimony in this proceeding begin on Monday, January 22, 1945, at ten o'clock in the forenoon of that day (eastern standard time), in Court Room No. 2, Federal Building, Albany, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondent. The trial examiner will then close the case

and make his report upon the facts; conclusions of facts; conclusions of law and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
*Secretary.*

[F. R. Doc. 45-512; Filed, Jan. 6, 1945; 11:19 a. m.]

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[Docket No. 5246]

IDEAL MAIL ORDER CO., AND SMITH & STRICKLAND TRADING CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the fourth day of January, A. D., 1945.

In the matter of Samuel Smith, Abraham Weinstein and Aaron Smith, individually and as copartners trading as Ideal Mail Order Company and Smith & Strickland Trading Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Friday, January 19, 1945, at ten o'clock in the forenoon of that day (eastern standard time), in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law, and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
*Secretary.*

[F. R. Doc. 45-509; Filed, Jan. 6, 1945; 11:19 a. m.]

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[Docket No. 5254]

HENRY MODELL & CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the fourth day of January, A. D., 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Wednesday, January 17, 1945, at ten o'clock in the forenoon of that day (eastern standard time) in Hearing Room, Federal Trade Commission Office, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
*Secretary.*

[F. R. Doc. 45-510; Filed, Jan. 6, 1945; 11:19 a. m.]

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## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4480]

EMIL ROSENTHAL

In re: Estate of Emil Rosenthal, deceased; File No. D-66-1972; E. T. sec. 11246.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Sally Rosenthal, Julius Rosenthal, Else Hertzfeld, Heta Steiner and Gertrude Kiplowitz, and of each of them, in and to the Estate of Emil Rosenthal, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Sally Rosenthal, Germany.
Julius Rosenthal, Germany.
Else Hertzfeld, Germany.
Heta Steiner, Germany.
Gertrude Kiplowitz, Germany.

That such property is in the process of administration by Leo Rosenthal, Administrator, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on December 26, 1944.

[SEAL] JAMES E. MARKHAM,
*Alien Property Custodian.*

[F. R. Doc. 45-503; Filed, Jan. 6, 1945; 10:41 a. m.]

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[Vesting Order 4481]

EMILIE CLARA SCHEEL

In re: Estate of Emilie Clara Scheel, deceased; File No. D-28-8735; E. T. sec. 10595.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Hedwig Louise Schindewolf in and to the estate of Emilie Clara Scheel, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Hedwig Louise Schindewolf, Germany.

That such property is in the process of Administration by Louise Oeffner, Executrix, acting under the judicial supervision of the Burlington County Orphans' Court, Mount Holly, New Jersey;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necesary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on December 26, 1944.

[SEAL] JAMES E. MARKHAM,
*Alien Property Custodian.*

[F. R. Doc. 45–504; Filed, Jan. 6, 1945; 10:41 a. m.]

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[Vesting Order 4482]

EVA TANZER

In re: Estate of Eva Tanzer, also known as Eva Tenzer and Eva Tanza, deceased; File D–66–1886; E. T. sec. 10989.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Giza Tanzer, Eva Tanzer and Guri Tanzer, and each of them, in and to the Estate of Eva Tanzer, also known as Eva Tenzer and Eva Tanza, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

*Nationals and Last Known Address*

Giza Tanzer, Rumania.
Eva Tanzer, Rumania.
Guri Tanzer, Rumania.

That such property is in the process of administration by Ernest Hackwitz, as Executor, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determinaton of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 26, 1944.

[SEAL] JAMES E. MARKHAM,
*Alien Property Custodian.*

[F. R. Doc. 45–505; Filed, Jan. 6, 1945; 10:41 a. m.]

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[Vesting Order 4483]

MARIE VOELKL

In re: Estate of Marie Voelkl, deceased; File No. D–28–8722; E. T. sec. 10579.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Anna Gries, Barbara Kas, Katharine Kaltenecher, Joseph Voelkl and Hans Voelkl, and each of them, in and to the estate of Marie Voelkl, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Anna Gries, Germany.
Barbara Kas, Germany.
Katharine Kaltenecher, Germany.
Joseph Voelkl, Germany.
Hans Voelkl, Germany.

That such property is in the process of administration by Fred Lasch, as executor of the estate of Marie Voelkl, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 26, 1944.

[SEAL] JAMES E. MARKHAM,
*Alien Property Custodian.*

[F. R. Doc. 45–506; Filed, Jan. 6, 1945; 10:41 a. m.]

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[Vesting Order 4484]

ANNE MCNALLY LIDDLE

In re: Estate of Anne McNally Liddle, deceased; File D–66–129; E. T. sec. 1987.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Olga Mazzoleni Mauri and Sophie Mazzoleni, and each of them, in and to the Estate of Anne McNally Liddle, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

*Nationals and Last Known Address*

Olga Mazzoleni Mauri, Italy.
Sophie Mazzoleni, Italy.

That such property is in the process of administration by Robert M. Lawson and Richard J. Burke, as Executors, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on December 28, 1944.

[SEAL] FRANCIS J. MCNAMARA,
*Deputy Alien Property Custodian.*

[F. R. Doc. 45–507; Filed, Jan. 6, 1945; 10:41 a. m.]

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[Supplemental Vesting Order 4494]

CONTINENTAL CERAMICS CORP.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

1. Having found and determined in Vesting Order No. 1175, dated March 31, 1943, that Continental Ceramics Corporation is a business enterprise within the United States, and a national of a designated enemy country (Germany);

2. Finding that Porzellanfabrik F. Thomas has a claim against Continental Ceramics Corporation, which is represented on the books and records of Continental Ceramics Corporation as an account payable in the amount of $1,777.07 as of August 31, 1944, subject to any accruals or deductions thereafter and which represents an interest in Continental Ceramics Corporation;

3. Finding that Porzellanfabrik F. Thomas whose principal place of business is Marktredwitz, Germany, is a national of a designated enemy country (Germany);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interest of Porzellanfabrik F. Thomas in Continental Ceramics Corporation, more fully described in subparagraph 2 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on January 3, 1945.

[SEAL] JAMES E. MARKHAM,
*Alien Property Custodian.*

[F. R. Doc. 45–508; Filed, Jan. 6, 1945; 10:42 a. m.]

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## OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 471]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN EVANSTON, WYO., AND SALT LAKE CITY AND OGDEN, UTAH

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations

[1] Filed as part of the original document.

directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

The Gallagher Transfer and Storage Company, Denver, Colo.

William H. Burdett and J. Glen Burdett, copartners, doing business as Burdett Transfer Company, Evanston, Wyo.

[F. R. Doc. 45-557; Filed, Jan. 6, 1945; 2:29 p. m.]

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[Supp. Order ODT 3, Rev. 472]

## COMMON CARRIERS

### COORDINATED OPERATIONS IN MARYLAND

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith. subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

[1] Filed as part of the original document.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

Tidewater Express Lines, Inc., Baltimore, Md.

The American Transfer Company, Baltimore, Md.

[F. R. Doc. 45-558; Filed, Jan. 6, 1945; 2:29 p. m.]

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[Supp. Order ODT 3, Rev. 474]

## COMMON CARRIERS

### COORDINATED OPERATIONS IN ALABAMA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the

facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

Thomas W. Finch, doing business as Finch Warehousing & Transfer Company, Mobile, Ala.

Abb's Transfer & Service Company, Inc., Mobile, Ala.

[F. R. Doc. 45-559; Filed, Jan. 6, 1945; 2:29 p. m.]

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[Supp. Order ODT 3, Rev. 476]

## COMMON CARRIERS

### COORDINATED OPERATIONS BETWEEN POINTS IN DESIGNATED EASTERN STATES

Coordinated operations between points in Connecticut, Delaware, Florida, Georgia, Massachusetts, Maryland, North Carolina, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

[1] Filed as part of the original document.

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to file tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representa-

tives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

Marvin Wade, Jr., doing business as Wade's Transfer, Dunn, N. C.
Wayne Motor Lines, Inc., Dunn, N. C.

[F. R. Doc. 45-560; Filed, Jan. 6, 1945; 2:29 p. m.]

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[Supp. Order ODT 3, Rev. 477]

COMMON CARRIERS

COORDINATED OPERATIONS IN NEW YORK

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

Long Island Delivery Co., Inc., Howlett, Long Island, N. Y.
Benjamin Motor Express, Inc., Charlestown, Mass.
Canny Trucking Co., Inc., Binghamton, N. Y.
Eagle Truck Transport, Inc., Philadelphia, Pa.
Highway Transportation Co., Inc., Hammonton, N. J.
Miller Transport Co., Inc., Philadelphia, Pa.
Baltimore-New York Express, Inc., Baltimore, Md.

[F. R. Doc. 45-561; Filed, Jan. 6, 1945; 2:28 p. m.]

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[Supp. Order ODT 3, Rev. 478]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KNOXVILLE AND CHATTANOOGA, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of

[1] Filed as part of the original document.

necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

Dixie Ohio Express Co., Akron, Ohio.
E. T. & WNC Transportation Co., Johnson City, Tenn.

[F. R. Doc. 45-562; Filed, Jan. 6, 1945; 2:28 p. m.]

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[Supp. Order ODT 3, Rev. 479]

## COMMON CARRIERS

### COORDINATED OPERATIONS BETWEEN YOUNGSTOWN, OHIO, AND PITTSBURGH, PA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

[1] Filed as part of the original document.

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and

the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

Exhibitors' Service Co., Pittsburgh, Pa.
P. W. Keely, doing business as Valley Motor Freight, New Castle, Pa.

[F. R. Doc. 45-563; Filed, Jan. 6, 1945; 2:27 p. m.]

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[Supp. Order ODT 3, Rev. 480]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NEW JERSEY AND PENNSYLVANIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

[1] Filed as part of the original document.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washingon 25, D. C.

This order shall become effective January 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX I

Bernard J. Reilly, doing business as Reilly's Auto Transfer, Phillipsburg, N. J.
Earl S. Frey, doing business as Frey's Motor Express, Phillipsburg, N. J.

[F. R. Doc. 45-564; Filed, Jan. 6, 1945; 2:25 p. m.]

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[Supp. Order ODT 3, Rev. 483]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN BOISE AND NEW MEADOWS, IDAHO

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges,

operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

Ernest C. Milliner, doing business as Milliner Truck Lines, Boise, Idaho.

Claude Chaney, doing business as Chaney Truck Line, Boise, Idaho.

[F. R. Doc. 45-565; Filed, Jan. 6, 1945; 2:25 p. m.]

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[Supp. Order ODT 3, Rev. 484]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN DALLAS AND WACO, TEX.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 12, 1945, and shall remain in full

[1] Filed as part of the original document.

force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

Central Freight Lines, Inc., Waco, Tex.
Electric Express and Baggage Co., Dallas, Tex.

[F. R. Doc. 45-566; Filed, Jan. 6, 1945; 2:25 p. m.]

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[Supp. Order ODT 6A-83]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN WORCESTER, CHARLTON, AND POINTS IN MASSACHUSETTS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended, (8 F.R. 8757, 14582; 9 F.R. 2794) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

Alvin R. Holmes, doing business as Holmes Transportation Service and/or Jones Express, Worcester, Mass.
Alfred E. McCauliff, doing business as Haas Southbridge Express, Leicester, Mass.

[F. R. Doc. 45-570; Filed, Jan. 6, 1945; 2:26 p. m.]

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[Supp. Order ODT 6A-84]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN MURRAY, MIDVALE, SANDY, AND SALT LAKE CITY, UTAH

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to re-

[1] Filed as part of the original document.

quire any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interset to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 12, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

B and O Transportation Company, Salt Lake City, Utah.

Utah Central Truck Line, Salt Lake City, Utah.

[F. R. Doc. 45-571; Filed, Jan. 6, 1945; 2:29 p. m.]

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[Special Order ODT B-59]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN VANCOUVER, BRITISH COLUMBIA, CANADA, AND SEATTLE, WASH.

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21; and in order to secure maximum use of existing transportation facilities; to conserve and providently utilize vital equipment, materials, and supplies; to prevent possible traffic congestion, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage of transportation materials and facilities for defense and for private account, *It is hereby ordered,* That:

1. The North Coast Transportation Company and the B. C. Motor Transportation Limited, d/b/a Pacific Stage Lines, (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Vancouver, British Columbia, Canada, and Seattle, Washington, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangement for any such joint facilities and agencies shall not extend beyond the effective period of this order. At depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. On the route between Vancouver, British Columbia, Canada, and Seattle, Washington, the North Coast Transportation Company shall operate a through service not to exceed two (2) round trips daily and the B. C. Motor Transportation Limited, d/b/a Pacific Stage Lines, shall operate not to exceed one (1) round trip daily. Not more than one (1) but shall be operated on each scheduled trip by the carriers, except on holidays and the day preceding or following a holiday.

3. The provisions of this order shall not be so construed or applied as to require either carrier to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any passenger. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier, such carrier shall apply forthwith to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

4. Each of the carriers shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs, or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

5. The provisions of this order shall be subject to any special permit issued by the Division Director, Passenger Operations Division, Highway Transport Department, Office of Defense Transportation, to meet specific needs or special circumstances.

6. Communications concerning this order should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., and should refer to "Special Order ODT B-59".

This Special Order ODT B-59 shall become effective January 15, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

[F. R. Doc. 45-567; Filed, Jan. 6, 1945; 2:26 p. m.]

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[Supp. Order ODT 20A-188]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN PORT WASHINGTON, N. Y. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators pro-

[1] Filed as part of the original document.

pose, by the plan, to coordinate their taxicab operations within the area of Port Washington, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, New York, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–188" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation.

8. This order shall become effective January 15, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

Samuel E. Markland, Port Washington, N. Y.
James C. Sammis, Port Washington, N. Y.
James Cimmera, Port Washington, N. Y.
Edmond Strickland, Port Washington, N. Y.
Robert K. Evans, Port Washington, N. Y.
Michael DeSanto, Port Washington, N. Y.
Amato George Troiano, Port Washington, N. Y.
Wallace West, Port Washington, N. Y.
William G. Gifford, Port Washington, N. Y.
Peter D. George, Port Washington, N. Y.
James Whyte, Port Washington, N. Y.
John Kelly, Port Washington, N. Y.
Walter C. Baldwin, Port Washington, N. Y.
Benjamin Markland, Port Washington, N. Y.
James V. Salerno, Port Washington, N. Y.
Alfonso Masi, Port Washington, N. Y.

[F. R. Doc. 45–568; Filed, Jan. 6, 1945; 2:27 p. m.]

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[Supp. Order ODT 20A–189]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN AMITYVILLE, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Amityville, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, New York, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–189" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation.

8. This order shall become effective January 15, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of January 1945.

J. M. JOHNSON,
*Director,*
*Office of Defense Transportation.*

APPENDIX 1

Clinton Post, d/b/a Post Bros., Amityville, N. Y.
Frederick Edgar Smith, Amityville, N. Y.
Doris W. Walker, Amityville, N. Y.
Clara D. Leigh, Amityville, N. Y.

[F. R. Doc. 45–569; Filed, Jan. 6, 1945; 2:27 p. m.]

[1] Filed as part of the original document.

## OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Order 350]

### C. D. MYERS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) C. D. Myers, 127 First Ave., Red Lion, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| King V | Queens | 50 | $56 | 7 |
| Castles | Perfectos | 50 | 48 | 6 |
| Govt. Seal | do | 50 | 56 | 7 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-327; Filed, Jan. 4, 1945; 4:40 p. m.]

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[MPR 260, Order 351]

### FREDERICK J. HAYE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Frederick J. Haye, 1798 State Street, Hamden (New Haven), Connecticut (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Campfire | 5" Straight | 50 | $48 | 6 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-328; Filed, Jan. 4, 1945; 4:40 p. m.]

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[MPR 260, Order 352]

### QUINCY CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Quincy Cigar Co., North Madison St., Quincy, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Factory Specials | Specials | 50 | $48 | 6 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to pur-

chasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-329; Filed, Jan. 4, 1945; 4:35 p. m.]

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[MPR 260, Order 353]

ERNEST E. NESS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Ernest E. Ness, 15–17 E. Main St., Dallastown, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| El Sandor | Queens | 50 | $75 | 10 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-330; Filed, Jan. 4, 1945; 4:35 p. m.]

[MPR 260, Order 354]

GAY CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Gay Cigar Co., 135 S. Adams St., Quincy, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| O'Pat | Straight | 50 | $48 | 6 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-331; Filed, Jan. 4, 1945; 4:35 p. m.]

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[MPR 260, Order 355]

STEWART L. REICHARD

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Stewart L. Reichard, Arbor, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| King Lee | Perfectos | 50 | $44 | 2 for 11 |
| Perfectos | Nat Will | 50 | 44 | 2 for 11 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-332; Filed, Jan. 4, 1945; 4:31 p. m.]

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[MPR 260, Order 356]

D. D. SMELTZER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) D. D. Smeltzer, Rear 234 E. Broadway, Red Lion, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cts.* |
| Quaker Delight | Quaker Delight | 50 | $56 | 7 |

(b) The manufacturer and wholesaler shall grant, with respect to their sales of each brand and size or frontmark of domesttc cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or a wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-333; Filed, Jan. 4, 1945; 4:41 p. m.]

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[MPR 260, Order 357]

ARCADIO ROSAS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Arcadio Rosas, 1912 E. Broadway, Tampa 5, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following do-

mestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Rosas | Rosas Especiales | 50 | $82.50 | 11 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-334; Filed, Jan. 4, 1945; 4:32 p. m.]

[MPR 260, Order 358]

## E. W. DOWNS

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) E. W. Downs, 35 Boundary Ave, (rear) Red Lion, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price [1] |
|---|---|---|---|---|
| | | | *Per M* | *Cts.* |
| Master Touch | Master Touch | 50 | $48 | 6 |
| Progresso | Progresso | 50 | 48 | 6 |
| Imperial Demand | Imperial Demand | 50 | 48 | 6 |
| Variety Special | Variety Special | 50 | 48 | 6 |
| Lexie | Lexie | 50 | 48 | 6 |

[1] Prices apply to cigars of listed brands having wrappers made from either Florida or Connecticut shade tobacco of grades stated in applications.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-335; Filed, Jan. 4, 1945; 4:42 p. m.]

[MPR 260, Order 359]

## HENDERSON MURPHREE TOBACCO CO.

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Henderson Murphree Tobacco Co., 327 East 18th St., Owensboro, Kentucky (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Forest Chief | Primeros | 50 | $56 | 7 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are es-

tablished by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-336; Filed, Jan. 4, 1945; 4:41 p. m.]

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[MPR 260, Order 360]

FRANK STEINMETZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Frank Steinmetz, 114 W. Main (rear), Chanute, Kansas (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Royal Bloom | 5"-45 ring | 50 | *Per M* $72 | *Cents* 9 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-337; Filed, Jan. 4, 1945; 4:33 p. m.]

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[MPR 260, Order 361]

CUESTO SANCHEZ & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Cuesto Sanchez & Co., 2103 E. Columbus Dr., Tampa 5, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| La Astra | Corona | 50 | *Per M* $56 | *Cents* 7 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-338; Filed, Jan. 4, 1945; 4:31 p. m.]

[MPR 260, Order 362]

OSCAR HERNANDEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 26, *It is ordered*, That:

(a) Oscar Hernandez Cigar Factory, 918 9th Ave., Tampa 5, Florida (hereinafter called "manufacturer") and wholesalers and retails may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| La Lidia de Cuba.. | Old Plantation. | 50 | *Per M* $108.75 | *Cents* 2 for 29 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-339; Filed, Jan. 4, 1945; 4:41 p. m.]

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[MPR 260, Order 363]

JOSEPHINE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Josephine Cigar Factory, 1919 15th Ave., Tampa 5, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Josephine..... | Corona..... | 50 | *Per M* $56 | *Cents* 7 |

(b) The manufacturer and wholesaler shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358 113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-340; Filed, Jan. 4, 1945; 4:41 p. m.]

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[MPR 260, Order 364]

ABELARDO BAZARTE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Abelardo Bazarte, 2811 Nebraska Ave., Tampa, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Bazarte..... | Corona..... | 50 | *Per M* $48 | *Cents* 6 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change

therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by §1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45–341; Filed, Jan. 4, 1945; 4:40 p. m.]

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[MPR 260, Order 365]

CARLOS M. ALVAREZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Carlos M. Alvarez, 58 S. 2nd. St., Philadelphia 6, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| La Francis | Admiral | 50 | $115.00 | 15 |
| | Senator | 50 | 93.75 | 2 for 25 |
| | Major | 50 | 93.75 | 2 for 25 |
| | Epicure | 50 | 75.00 | 10 |
| | Regalia | 50 | 75.00 | 10 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45–342; Filed, Jan. 4, 1945; 4:31 p. m.]

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[MPR 260, Order 366]

PENN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Penn Cigar Co., 113 McConaughy St., Johnstown, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Solita | Panatela | 50 | $32 | 4 |
| | Perfecto | 50 | 40 | 5 |
| Dreamlets | Cigarillo | 50 | 32 | 4 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or

frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-343; Filed, Jan. 4, 1945; 4:32 p. m.]

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[MPR 260, Order 367]

GRADIAZ, ANNIS & CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Gradiaz, Annis & Co., Inc., 2311 18th St., P. O. Box 1122, Tampa, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Ignacio Haya | Palmitas | 50 | *Per M* $138 | *Cents* 18 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-344; Filed, Jan. 4, 1945; 4:42 p. m.]

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[MPR 260, Order 368]

A. MARTINEZ & CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) A. Martinez & Co., 2704 21st St., Tampa, Florida (hereinabove called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Garcia & Martinez | Straight | 50 | *Per M* $56 | *Cents* 7 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-345; Filed, Jan. 4, 1945; 4:33 p. m.]

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[MPR 260, Order 369]

PECK CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) The Peck Cigar Co., 3709 W. Pico Blvd., Los Angeles 6, California (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Rivoli | Special | 50 | $93.75 | 2 for 25 |
| Peck's | Commander | 50 | 115.00 | 15 |
| | Perfecto | 50 | 115.00 | 15 |
| | Ambassador | 50 | 115.00 | 15 |
| Rivoli | Panatela | 50 | 82.50 | 11 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-346; Filed, Jan. 4, 1945; 4:34 p. m.]

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[MPR 260, Order 370]

RAYMOND STRATHMEYER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Raymond Strathmeyer, 119 N. 4th St., Wrightsville, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Tiz | Perfecto | 50 | $64 | 8 |
| Excelente | do | 50 | 64 | 8 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-347; Filed, Jan. 4, 1945; 4:34 p. m.]

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[MPR 260, Order 371]

GEORGE SECHRIST

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) George Sechrist, 88 E. Main St., Windsor, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Ruth Ann | Perfectos | 50 | $56 | 7 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manu-

facturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-348; Filed, Jan. 4, 1945; 4:30 p. m.]

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[MPR 260, Order 372]

LEON C. SMITH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Leon C. Smith, R. D. #1, Windsor, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Honor Bearer | Perfectos | 50 | $56 | 7 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-349; Filed, Jan. 4, 1945; 4:30 p. m.]

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[MPR 260, Order 373]

REA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Rea Cigar Co., 1605 N. Howard Ave., Tampa 7, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Soprano | Cadets | 50 | $93.75 | 2 for 25 |
| | Coronitas | 50 | 75.00 | 10 |
| | Straights | 50 | 90.00 | 12 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-350; Filed, Jan. 4, 1945; 4:31 p. m.]

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[MPR 260, Order 374]

HARRY WEISS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358 102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) Harry Weiss, 143 Chamber St., New York, New York (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Triumpo de Comericio. | Coronitos | 50 | $64.00 | 8 |
| | Perfectos | 50 | 82.50 | 11 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-351; Filed, Jan. 4, 1945; 4:44 p. m.]

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[MPR 260, Order 375]

A. C. SYDBOTEN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) A. C. Sydboten, 101½ S. Hill St., Griffin, Georgia (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Syd Black Cat Smoker | | 25 | $56 | 7 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-352; Filed, Jan. 4, 1945; 4:43 p. m.]

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[MPR 260, Order 376]

EAGLE MERCANTILE CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered,* That:

(a) Eagle Mercantile Corporation, 72–76 Walker St., New York City 13, New York (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| La Flor de Gavilla | Coronas Gloria | 25 | $242.00 | 33 |
| | Londres | 25 | 161.50 | 20 |

(b) The importer and wholesalers shall grant, with respect to their sales or each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-353; Filed, Jan. 4, 1945; 4:43 p. m.]

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[MPR 260, Order 377]

CHICAGO TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Chicago Tobacco Co., 417 S. Halsted St., Chicago 6, Illinois (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Benedit | Rangers | 25 | $195.00 | 20 |
| | Londres | 25 | 176.50 | 22 |

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-354; Filed, Jan. 4, 1945; 4:43 p. m.]

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[MPR 260, Order 378]

ELK IMPORTING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Elk Importing Co., Hotel Olmstead Bldg. East 9th & Superior, Cleveland 14, Ohio (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| El Caracol | Corona Sublimes | 25 | $385.00 | 55 |
| | Coronas | 25 | 385.00 | 55 |
| | Perfectos | 25 | 246.25 | 33 |
| | Presidentes | 25 | 203.50 | 28 |
| | Belvederes | 25 | 203.50 | 28 |
| | Londres | 50 | 209.25 | 28 |
| | Half Corona | 25 | 195.75 | 28 |
| | Caracol Sp | 25 | 212.25 | 28 |
| | Camelias | 50 | 190.00 | 25 |

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged, or allowed (as the case may be) during March 1942 by his most

closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-355; Filed, Jan. 4, 1945; 4:43 p. m.]

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[MPR 260, Order 379]

HENRY NEMROW, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Henry Nemrow, Inc., 18 Fulton St., Boston 9, Massachusetts (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| La Loma | Londres | 25 | $190.00 | 25 |
| | Panetelas | 25 | 135.00 | 17 |
| | Belvederes | 25 | 190.00 | 25 |
| | Cocncitos | 50 | 120.00 | 15 |
| | Petit Cetros | 25 | 176.00 | 22 |
| | Habaneros | 25 | 161.50 | 20 |

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-356; Filed, Jan. 4, 1945; 4:33 p. m.]

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[MPR 260, Order 380]

TORANO Y CIA., S. EN C.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Torano y Cia., S. en C., 151 Water St., New York 5, New York (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Venus | Londres | 25 | $195.00 | 25 |
| | Belvederes | 25 | 203.50 | 28 |
| | Americans | 25 | 212.25 | 28 |
| | Perfectos | 25 | 246.25 | 33 |
| | Petit Corona | 25 | 261.75 | 33 |
| | Coronas | 25 | 368.50 | 50 |

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class the purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-357; Filed, Jan. 4, 1945; 4:36 p. m.]

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[MPR 260, Order 382]

PACKER BROTHERS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered,* That:

(a) Packer Brothers, 318 West 47th St., New York 19, New York (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| La Noble Habana. | Belvedere | 50 | $199 | 28 |

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-358; Filed, Jan. 4, 1945; 4:42 p. m.]

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[MPR 260, Order 383]

FONT & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered,* That:

(a) Font & Co., 80 Wall St., New York 5, New York (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Oliver | Victoria | 25 | $247.00 | 33 |
| | Corona Extra | 25 | 385.00 | 55 |
| | Perlitas | 25 | 123.75 | 3 for 50 |
| | Aguilas | 25 | 296.25 | 39 |
| | Conchas | 25 | 165.00 | 22 |
| | Do | 50 | 160.00 | 22 |

(b) The importer and wholesaler shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-359; Filed, Jan. 4, 1945; 4:28 p. m.]

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[MPR 260, Order 384]

CAVALLA TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered,* That:

(a) Cavalla Tobacco Co. 427 W. Highland Ave., Milwaukee, Wisconsin (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Estradas | Fromer #1 | 25 | $330.00 | 44 |
| | Cremas Finas | 25 | 212.50 | 28 |
| | Fromer #3 | 25 | 190.00 | 27 |
| | Panetelas | 50 | 135.00 | 17 |
| | Havana Club | 50 | 145.00 | 3 for 55 |
| | Rotschild Selc | 50 | 161.50 | 20 |

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-360; Filed, Jan. 4, 1945; 4:30 p. m.]

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[MPR 260, Order 385]

## WOODHOUSE CIGAR CO.

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Woodhouse Cigar Company, 37 W. Jefferson, Detroit 26, Michigan (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | |
| Partagas | Brevas | 25 | $220.00 | $0.30 |
| | Cazadores | 25 | 300.00 | .40 |
| | Club Corona | 25 | 250.00 | 3 for 1.00 |
| | Fabulosos | 5 | 940.00 | 1.25 |
| | Gigantes | 1 | 3,250.00 | 5.00 |
| | Partagas 25 | 50 | 190.00 | .25 |
| | Partagas 30 | 25 | 225.00 | .30 |
| | Perfecionado | 25 | 203.50 | .28 |
| | Varieties | 50 | 296.50 | [1] 20.00 |

[1] A box.

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-361; Filed, Jan. 4, 1945; 4:29 p. m.]

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[MPR 260, Order 386]

## RICO PRODUCTS CO.

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Rico Products Company, 305 Morgan St., Tampa 1, Florida (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| El Almibar | Diamelas | 50 | $154.00 | 3 for 55 |
| | Reinitas | 25 | 161.50 | 20 |
| | Delirios | 50 | 190.00 | 25 |
| | Presidentes | 25 | 225.00 | 30 |
| | Coronas | 25 | 297.00 | 39 |

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials custom-

arily granted, charged or allowed (as the case may be) during March 1942 by his most close competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-362; Filed, Jan. 4, 1945; 4:29 p. m.]

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[MPR 260, Order 387]

## CINCINNATI CIGAR CO.

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Cincinnati Cigar Co., 1002 Broadway, Cincinnati 2, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Banker | Perfecto | 50 | $60 | 2 for 15 |
| | Club House | 50 | 48 | 6 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-363; Filed, Jan. 4, 1945; 4:28 p. m.]

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[MPR 260, Order 388]

## MEDALIST CO., INC.

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Medalist Co., Inc., 10 W. 33rd St., New York 1, New York (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Medalist Blue Label | Panetela | 50 | $78.75 | 2 for 21 |
| Medalist | Vogue | 50 | 154.00 | 20 |
| Trovador | #7 | 50 | 101.25 | 2 for 27 |
| | #5 | 50 | 108.75 | 2 for 29 |
| | #4 | 50 | 108.75 | 2 for 29 |
| Medalist | Sublime | 50 | 108.75 | 2 for 29 |
| Trovador | #3 | 50 | 108.75 | 2 for 29 |
| Finesse | Staples | 50 | 72.00 | 9 |
| Trivadir | #6 | 50 | 78.75 | 2 for 21 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-364; Filed, Jan. 4, 1945; 4:28 p. m.]

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[MPR 260, Order 389]

A. SIEGEL & SONS, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) A. Siegel & Sons, Inc., 6th & Mechanic, Camden, New Jersey (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| La Magnita | Palmas | 50 | $115 | 15 |
| Alden Park | Cambridge | 50 | 115 | 15 |
| Carabana | Classics | 50 | 115 | 15 |
| Calsetta | Earls | 50 | 115 | 15 |
| Norwood | Palmas | 50 | 115 | 15 |
| Lupe | do | 50 | 115 | 15 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-365; Filed, Jan. 4, 1945; 4:28 p. m.]

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[MPR 260, Order 390]

STRAND CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) Chas. C. Mead, d. b. a. Strand Cigar Company, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Garcia Principe | | 50 | $60 | 2 for 15 |
| Updike | Perfecto | 50 | 60 | 2 for 15 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-366; Filed, Jan. 4, 1945; 4:36 p. m.]

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[MPR 260, Order 391]

A. SIEGEL & SONS, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) A. Siegel & Sons, Inc., 6th & Mechanic St., Camden, New Jersey (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the ap-

propriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| La Magnita | Epicure | 50 | *Per M* $56 | *Cents* 7 |
| Solitarie | Happiness | | | |
| Dempster | Straights | | | |
| Carabana | Sports | | | |
| Alden Park | Sportsmen | | | |
| Calsetta | Happiness | | | |
| Marie y Elizabeth. | Baronets | | | |
| Norwood | do | | | |
| Fame | Happiness | | | |
| Lupe | Baronets | | | |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-367; Filed, Jan. 4, 1945; 4:36 p. m.]

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[MPR 260, Order 392]

## ROY R. SMITH CIGAR CO.

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Roy R. Smith Cigar Co., Wallick Alley, Red Lion, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| F. C. A. Garcia Finos. | Perfecto Extra | 50 | *Per M* $56 | *Cts.* 7 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-368; Filed, Jan. 4, 1945; 4:36 p. m.]

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[MPR 260, Order 393]

## MARK CIGAR CO.

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Mark Cigar Co., 1902 W. Vliet St., Milwaukee 5, Wisconsin (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Jose Java Perfecto | 5" | 50 | *Per M* $101.25 | *Cents* 2 for 27 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this

order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-369; Filed, Jan. 4, 1945; 4:37 p. m.]

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[MPR 260, Order 394]

WILLIAM REICHARD

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) William Reichard, Boundary Ave., Red Lion, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell, or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Banker's Bouquet | 5⅝ Corona | 50 | $48 | 6 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-370; Filed, Jan. 4, 1945; 4:37 p. m.]

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[MPR 260, Order 395]

EAST PROSPECT CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Paul E. Dellinger d. b. a. East Prospect Cigar Co., Rear 30 N. Main Street, East Prospect, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Epco | Fancy Extra | 50 | $56 | 7 |
| | Perfecto | 50 | 56 | 7 |
| Mellovana | Fancy Extra | 50 | 56 | 7 |
| | Perfecto | 50 | 56 | 7 |
| Emelia Garcia | Queens | 50 | 56 | 7 |
| Las Vegas | De Luxe | 50 | 72 | 9 |
| | Fancy Extra | 50 | 56 | 7 |
| | Perfecto | 50 | 56 | 7 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall ap-

ply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-371; Filed, Jan. 4, 1945; 4:37 p. m.]

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[MPR 260, Order 396]

T. E. BROOKS & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered;* that:

(a) T. E. Brooks & Co. 31 Pine St., Red Lion, Pennsylvania (hereinafter called "manufacturer") and wholesaler and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Redford | Invincible | 50 | $56 | 7 |
| Shaw's After Dinner | do | 50 | 56 | 7 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-372; Filed, Jan. 4, 1945; 4:38 p. m.]

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[MPR 260, Order 397]

CONSOLIDATED CIGAR CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) Consolidated Cigar Corporation, 444 Madison Avenue, New York 22, New York (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| La Azora | Perfecto DeLuxe | 50 | $66.65 | 3 for 25 |
| Lovera | do | 50 | 66.65 | 3 for 25 |
| El Sidelo | Lily | 50 | 66.65 | 3 for 25 |
| La Palina | Ideals | 50 | 66.65 | 3 for 25 |
| | Panetela DeLuxe | 50 | 60.00 | 2 for 15 |
| Stratford | Club House DeLuxe | 50 | 75.00 | 10 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-373; Filed, Jan. 4, 1945; 4:38 p. m.]

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[MPR 260, Order 398]

TRY-A-TAMPA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) Try-A-Tampa Cigar Co., 1904 14th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following

domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Try-A-Tampa | Epicures | 50 | $101.25 | 2 for 27 |
| | Brevas | 50 | 161.50 | 21 |
| | Kings | 50 | 64.00 | 8 |
| | Little Kings | 50 | 60.00 | 2 for 15 |
| | Corona Chica | 50 | 138.00 | 18 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-374; Filed, Jan. 4, 1945; 4:39 p. m.]

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[MPR 260, Order 399]

## ROSE-MARIE CIGAR FACTORY

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Rose-Marie Cigar Factory, 2206 Armenia Ave., Tampa, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M.* | *Cents* |
| Rose-Marie | Panetela Special | 50 | $115 | 15 |
| | Corona | 50 | 60 | 2 for 15 |
| | Londres | 50 | 56 | 7 |
| | Corona Special | 50 | 72 | 9 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-375; Filed, Jan. 4, 1945; 4:39 p. m.]

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[MPR 260, Order 400]

## MAX SCHWARZ MANUFACTURER LA PRIMADORA HAVANA CIGARS, LTD.

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Max Schwarz Manufacturer La Primadora Havana Cigars, Ltd., 1016 Second Ave., New York 22, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| La Libertad | Casino | 50 | $60.00 | 2 for 15 |
| La Primadora | Victoria | 50 | 177.00 | 23 |
| | Chico | 50 | 24.00 | 3 |
| | Eldorado | 50 | 97.50 | 13 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this or-

der, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-376; Filed, Jan. 4, 1945; 4:39 p. m.]

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[MPR 260, Order 401]

NATIONS CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Nations Cigar Co., 804 Lafayette, St. Louis 9, Missouri (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| F-A-P | 47-5" | 50 | $72 | 9 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-377; Filed, Jan. 4, 1945; 4:39 p. m.]

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[MPR 260, Order 402]

SAN TELMO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) San Telmo Cigar Co., 700-2 S. Madison Ave., Bay City, Michigan (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Factory Leaders | Pouched size | 50 | $60.00 | 2 for 15 |
| Streamliner | Pacemaker De-Luxe. | 50 | 90.00 | 12 |
| | Panatela De-Luxe. | 50 | 60.00 | 2 for 15 |
| | Londres Cedar. | 50 | 93.75 | 2 for 25 |
| Monda Cuba | Waldorf | 50 | 108.75 | 2 for 29 |
| Green Seal | Conchas | 50 | 40.00 | 5 |
| E. & E. Cabinets | Cabinets | 50 | [1] 79.20 | 12 |

[1] Price listed is manufacturer's maximum net selling price, subject to further discount for cash payment as stated in application.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall ap-

ply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 5, 1945.

Issued this 4th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-378; Filed, Jan. 4, 1945; 4:34 p. m.]

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[MPR 260, Order 412]

HARRY FRIEDMAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Harry Friedman, 1046 Blue Hill Avenue, Boston, Massachusetts (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Kenmore | Blunts | 50 | *Per M* $64 | *Cents* 8 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-433; Filed, Jan. 5, 1945; 11:52 a. m.]

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[MPR 260, Order 413]

D. D. SMELTZER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) D. D. Smeltzer, Rear 234 E. Broadway, Red Lion, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Flor de Leron | Perfecto | 50 | *Per M* $56 | *Cents* 7 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-434; Filed, Jan. 5, 1945; 11:57 a. m.]

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[MPR 260, Order 414]

D. DAY CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) D. Day Cigar Factory, 4901 29th St., Tampa, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Sandra | Corona | 50 | *Per M* $56 | *Cents* 6 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-435; Filed, Jan. 5, 1945; 11:53 a. m.]

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[MPR 260, Order 415]

THOMAS G. BURTON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) Thomas G. Burton, 698½ W. Mound St., Columbus 18, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Burton's Hand Made | One inch | 50 | *Per M* $32 | *Cts.* 4 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-436; Filed, Jan. 5, 1945; 11:56 a. m.]

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[MPR 260, Order 416]

WAITT AND BOND, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) Waitt & Bond, Inc., 310 Sherman Ave., Newark 5, New Jersey (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Blackstone | Panetela De Luxe | 50 | *Per M* $90.00 | *Cents* [1] 12 |
| | King's | 50 | 101.25 | [1] 2 for 27. |
| | Perfecto Extra | 50 | 123.00 | [1] 16 |
| | Cabinet Extra | 50 | 115.00 | [1] 15 |
| | Bantam | 50 | 60.00 | [1] 2 for 15. |

[1] Prices apply to cigars of stated brand and frontmark with wrappers made from Types 61A or 82A tobaccos, as stated in applications.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with

respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-437; Filed, Jan. 5, 1945; 11:55 a. m.]

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[MPR 260, Order 417]

ABER GOLDBAUM

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Aber Goldbaum, 200 State St., St. Joseph, Michigan (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Ben King | Londres | 50 | $82.50 | 11 |
| | Perfectos | 50 | 72.00 | 9 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-438; Filed, Jan. 5, 1945; 11:51 a. m.]

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[MPR 260, Order 418]

WAITT & BOND CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Waitt & Bond Company, 940 Jefferson Ave., Scranton, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Blackstone | Cabinet Extra | 50 | $115 | [1] 15 |
| | Bantam | 50 | 60 | 2 for 15 |
| Waitt & Bond | Yankee Queen | 50 | 60 | 2 for 15 |

[1] Prices apply to cigars of stated brand and frontmark with wrappers made from Types 61A or 82A tobaccos, as stated in applications.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-439; Filed, Jan. 5, 1945; 11:55 a. m.]

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[MPR 260, Order 419]

L. D. FRYE & SON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) L. D. Frye & Son, R. D. #1, Red Lion, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Campus Kings... | Campus Kings | 50 | $56 | 7 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-440; Filed, Jan. 5, 1945; 11:53 a. m.]

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[MPR 260, Order 420]

PAUL H. DELLINGER, JR.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) Paul H. Dellinger, Jr., Wrightsville, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Mellovana..... | Fancy Extra.. | 50 | $56 | 7 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-441; Filed, Jan. 5, 1945; 11:53 a. m.]

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[MPR 260, Order 423]

GOLD LEAF CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) Gold Leaf Cigar Factory, 1907 N. Howard Ave., Tampa 7, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Gold Leaf..... | Bankers..... | 50 | $64 | 8 |
| | Corona..... | 50 | 72 | 9 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the

discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-442; Filed, Jan. 5, 1945; 11:52 a. m.]

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[MPR 260, Order 424]

JOSE A. RODRIGUEZ CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Jose A. Rodriguez Cigar Factory, 2008 14th St., Tampa 5, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| D. Day | Petit Coronas | 50 | $80.00 | 2 for 15 |
| | Coronas | 50 | 93.75 | 2 for 25 |
| | Corona Special | 50 | 123.00 | 16 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-443; Filed, Jan. 5, 1945; 11:52 a. m.]

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[MPR 260, Order 425]

CUBAN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Cuban Cigar Co., 717-719 Main St., Joplin, Missouri (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| El Niblo | Imperials | 50 | $90 | 12 |
| | Longfellows | 50 | 115 | 15 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this

order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-444; Filed, Jan. 5, 1945; 11:57 a. m.]

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[MPR 260, Order 426]

## A. SENSENBRENNER SONS

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to §1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) August-Louis Sensenbrenner d. b. a. A. Sensenbrenner Sons, 1220 Maple Ave., Los Angeles 15, California (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Cabrillo | Savoys | 50 | $115 | 15 |
| | Plazas | 50 | 134 | 2 for 35 |
| Jonathan Club | do | 50 | 134 | 2 for 35 |
| | Savoys | 50 | 115 | 15 |
| Bullock's | do | 50 | 115 | 15 |
| | Plazas | 50 | 134 | 2 for 35 |
| Union Pacific | do | 50 | 134 | 2 for 35 |
| | Savoys | 50 | 115 | 15 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-445; Filed, Jan. 5, 1945; 11:56 a. m.]

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[MPR 260, Order 427]

## A SENSENBRENNER SONS

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) August-Louis Sensenbrenner d. b. a. A. Sensenbrenner Sons, 1220 Maple Avenue, Los Angeles 15, California (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Rio Grande | Savoys | 50 | $115 | 15 |
| | Plazas | 50 | 134 | 2 for 35 |
| Southern Pacific | do | 50 | 115 | 15 |
| Los Angeles Country Club | Savoys | 50 | 115 | 15 |
| | Plazas | 50 | 134 | 2 for 35 |
| Beach Club | Savoys | 50 | 115 | 15 |
| | Plazas | 50 | 134 | 2 for 35 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-446; Filed, Jan. 5, 1945; 11:56 a. m.]

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[MPR 260, Order 428]

FRANK STEINMETZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Frank Steinmetz, 114 W. Main St., (rear) Chanute, Kansas (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Lts. Panetelas | 5¼-inch length, 43 ring. | 50 | *Per M* $66.65 | *Cents* 3 for 25 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesal r in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-447; Filed, Jan. 5, 1945; 11:56 a. m.]

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[MPR 260, Order 429]

M & L CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) M & L Cigar Factory, 1409 25th Avenue, Tampa 5, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| M & L | Breva Special | 50 | *Per M* $64 | *Cents* 8 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-448; Filed, Jan. 5, 1945; 11:55 a. m.]

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[MPR 260, Order 430]

SANCHEZ & MONTESINO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Sanchez & Montesino Cigar Factory, 3107 17th St., Tampa 5, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| El Mundo | Reinas | 50 | $138 | 18 |
| | Brevas | 50 | 154 | 20 |
| | Londres | 50 | 134 | 2 for 35 |
| | Queens | 50 | 138 | 18 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-449; Filed, Jan. 5, 1945; 11:53 a. m.]

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[MPR 260, Order 431]

A. MARTINEZ & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) A. Martinez & Co., 2704 21st St., Tampa, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| Garcia & Martinez... | Kings..... | 50 | $108.75 | 2 for 29 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked, or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-450; Filed, Jan. 5, 1945; 11:54 a. m.]

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[MPR 260, Order 432]

F. E. B. CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) F. E. B. Cigar Factory, 2917 11th St., Tampa 5, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| | | | *Per M* | *Cents* |
| F. E. B..... | Petit Panetelas. | 50 | $90.00 | 12 |
| | Specials..... | 50 | 101.25 | 2 for 27 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the

same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-451; Filed, Jan. 5, 1945; 11:54 a. m.]

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[MPR 260, Order 433]

## DEL VALLE CIGAR FACTORY

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered,* That:

(a) Del Valle Cigar Factory, 2110 Nassau St., Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Del Valle | Corona | 50 | *Per M* $60 | *Cents* 2 for 15 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 6, 1945.

Issued this 5th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-452; Filed, Jan. 5, 1945; 11:54 a. m.]

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[Rev. Order 434 Under 3 (b)]

## DY-NU COMPANY

### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

That Order No. 434 under § 1499.3 (b) of the General Maximum Price Regulation be and hereby is amended to read as follows:

*Approval of maximum prices for Fond All-Purpose Cleaner*—(a) *Maximum prices.* Maximum prices for sales of Fond All-Purpose Cleaner are established as follows:

| Sales to— | 1½-ounce jar | 4-ounce jar | 9-ounce jar | 16-ounce jar | 10-pound jar | 50-pound can |
|---|---|---|---|---|---|---|
| Individual ultimate consumers | *Each* $0.25 | *Each* $0.50 | *Each* $1.00 | *Each* $1.50 | *Each* $14.50 | *Each* $70 |
| | *Per dozen* | *Per dozen* | *Per dozen* | *Per dozen* | | |
| Retailers | 2.25 | 4.50 | 9.00 | 13.50 | ---------- | ---------- |
| Cooperative wholesale jobbers | 2.138 | 4.275 | 8.55 | 12.825 | ---------- | ---------- |
| Old line wholesale jobbers | 1.80 | 3.60 | 7.20 | 10.80 | ---------- | ---------- |
| Institutional wholesale jobbers | 1.523 | 3.045 | 6.055 | 9.10 | ---------- | ---------- |
| Jobbers | ---------- | ---------- | ---------- | ---------- | 7.25 | 35 |
| National distributor | 1.05 | 2.10 | 4.20 | 6.30 | 5.15 | 25 |

No additional charge may be made for containers.

(b) *Discounts and allowances.* Each seller making sales of Fond All-Purpose Cleaner shall apply to the maximum prices established for such sales in paragraph (a) all quantity differentials, trade practices, credit terms, practices relating to transportation costs, and other customary discounts and allowances which were in effect on his sales during March 1942 of the cleaner most comparable to Fond All-Purpose Cleaner.

(c) *Definition.* When used in this order the term "Fond All-Purpose Cleaner" means a concentrated cleaner manufactured by the Dy-Nu Company of 1046 South Olive Street, Los Angeles, California.

(d) *Notification.* (1) With or prior to the first delivery of each size of Fond All-Purpose Cleaner to the national distributor, the Dy-Nu Company shall furnish such national distributor with a notice containing the following information:

(i) The maximum price established by this order for sales by the Dy-Nu Company to such national distributor.

(ii) National distributor's maximum resale prices.

(iii) The maximum resale prices of each class of wholesalers.

(iii) Retailers' maximum prices to individual ultimate consumers.

(v) A statement that all sellers' maximum prices are subject to such seller's customary discounts, allowances, and trade practices in effect during March 1942 on his sales of the cleaner most comparable to Fond All-Purpose Cleaner.

(vi) A statement that the Office of Price Administration requires such national distributor to send with or prior to his first delivery of each such commodity to a buyer a written notice containing the information set out in subparagraph (2) below.

(2) With or prior to the first delivery of each size of Fond All-Purpose Cleaner to a buyer the national distributor shall furnish such buyer with a written notice containing the following information:

(i) National distributor's maximum resale prices.

(ii) Such buyer's maximum resale prices.

(iii) Retailers' maximum prices to individual ultimate consumers.

(iv) A statement that all sellers' maximum prices are subject to such seller's customary discounts, allowances, and trade practices in effect during March 1942 on his sales of the cleaner most comparable to Fond All-Purpose Cleaner.

(e) *Marking.* The Dy-Nu Company shall mark on each package of Fond All-Purpose Cleaner delivered to the national distributor after the effective date of this order in such manner as to be plainly visible to a purchaser, the maximum price to individual ultimate consumers established by this order. Such marking shall be in the following form:

| | *Marking—ceiling price* |
|---|---|
| 1½ ounce | 25¢ |
| 4 ounce | 50¢ |
| 9 ounce | $1.00 |
| 16 ounce | 1.50 |
| 10 lb. jar | 14.50 |
| 50 lb. can | 70.00 |

(f) This Revised Order No. 434 may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective January 9, 1945.

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-541; Filed, Jan. 6, 1945; 11:55 a. m.]

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[Order 752 Under 3 (b)]

ETHYL CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to § 1499.3 (b) (2) and 1499.3 (c) (3), it is ordered:

*Maximum prices for sales of ethyl cleaner.* (a) The maximum prices for sales of ethyl cleaner, a car (automobile) cleaner also usable for household purposes, produced by Ethyl Corporation, New York, shall be:

| Bottle size | To consumers at retail | To retail dealers | To jobbers delivered 2% for cash 10th prox. |
|---|---|---|---|
| 6-oz. (contents 5¾ oz.) | $0.35 | $0.21 | $0.1575 |
| 24-oz. (contents 23-oz.) | 1.00 | .60 | .45 |
| 1 gal. (contents 126-oz.) | 4.50 | 2.70 | 2.025 |

On sales to consumers at retail and retail dealers, the prices are either f. o. b. dealer's store and jobber's warehouse, respectively, or delivered to consumer's residence and dealer's store, respectively, in accordance with practice in effect during March 1942.

(b) All prices shall be subject to the discounts, allowances and trade practices (other than those specified in (a) above) of the seller in affect during March 1942.

(c) No extra charge may be made for containers.

(d) With or prior to the first delivery of ethyl cleaner to any jobber, Ethyl Corporation shall furnish such jobber with a written notice as follows:

NOTICE

| Bottle size | (1) Our maximum price | (2) Your maximum prices to retail dealers | (3) Maximum prices to consumers at retail |
|---|---|---|---|
| 6-oz. (contents 5¾ oz.) | $0.1575 | $0.21 | $0.35 |
| 24-oz. (contents 23 oz.) | .45 | .60 | 1.00 |
| 128-oz. (contents 126 oz.) | 2.025 | 2.70 | 4.50 |

*Instructions.* You are required by the Office of Price Administration to send with or prior to your first delivery to a retail dealer a notice as follows:

NOTICE

| Bottle size | (1) Our maximum prices | (2) Your maximum prices |
|---|---|---|
| 6-oz. (contents 5¾ oz.) | $0.21 | $0.35 |
| 24-oz. (contents 23 oz.) | .60 | 1.00 |
| 128-oz. (contents 126 oz.) | 2.70 | 4.50 |

(e) With or prior to the first delivery of ethyl cleaner to any retail dealer, every seller shall furnish such retail dealer with a written notice as set forth in the jobber's "Instructions" in paragraph (d) above.

(f) Ethyl Corporation shall mark each size of ethyl cleaner to indicate the maximum prices for sales to the consumers at retail as follows:

| | *Retail ceiling price* |
|---|---|
| 6-oz. (content 5¾-oz.) | $0.35 |
| 24-oz. (content 23-oz.) | 1.00 |
| 128-oz. (content 126-oz.) | 4.50 |

(g) This order may be revoked or amended by the Administrator at any time.

This order shall become effective January 8, 1945.

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-542; Filed, Jan. 6, 1945; 11:54 a. m.]

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[MPR 120, Order 1250]

CORONA COAL CO., INC., AND CECIL WILSON COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 3. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.214 and all other provisions of Maximum Price Regulation No. 120.

CORONA COAL CO. INC., HEPZIBAH, W. VA., CORONA MINE, PITTSBURGH SEAM, MINE INDEX NO. 2093, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: CORONA MINE W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

| | Size Group Nos. | | | | |
|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 |
| Price classification | F | F | F | F | F |
| Rail shipments and railroad fuel | 275 | 275 | 260 | 250 | 240 |
| Truck shipment | 310 | 310 | 285 | 275 | 265 |

CECIL WILSON COAL CO., BOX G, SHINNSTON, W. VA., WILSON MINE, PITTSBURGH SEAM, MINE INDEX NO. 2096, BARBOUR COUNTY, W. VA., RAIL SHIPPING POINT: ASTOR, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

| | | | | | |
|---|---|---|---|---|---|
| Price classification | F | F | F | F | F |
| Rail shipments and railroad fuel | 275 | 275 | 260 | 250 | 240 |
| Truck shipment | 310 | 310 | 285 | 275 | 265 |

This order shall become effective January 8, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-544; Filed, Jan. 6, 1945; 11:57 a. m.]

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[MPR 120, Order 1251]

BURNS & FREDERICK COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Blue Jay Mine, a deep mine of Burns & Frederick Coal Company,

Chicora, Pennsylvania, is hereby assigned Mine Index No. 1451.

(b) Coals produced by Burns & Frederick Coal Company from the Cannel Seam at its Blue Jay Mine, Mine Index No. 1451, in Armstrong County, Pennsylvania, in Subdistrict No. 1 of District No. 2, may be purchased and sold for the indicated uses and movements at per net ton prices in cents per net ton not exceeding the following:

| | Size group No. | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| Rail shipment | 450 | 450 | 345 | 345 | 345 | 335 | 335 | 335 | 275 | | |
| Truck shipment | 600 | 600 | 600 | 440 | 420 | 420 | 420 | 390 | 380 | 380 | 315 |

(c) The prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective January 8, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-545; Filed, Jan. 6, 1945; 11:56 a. m.]

[MPR 120, Order 1252]

ROYAL BLAZE COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATION

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Royal Blaze Coal Company Mine of Royal Blaze Coal Company, Price, Utah, is hereby assigned Mine Index No. 1002, and its coals are classified in Subdistrict No. 1 Price Group.

(b) Coals produced by Royal Blaze Coal Company from the Kenelworth Seam at its Royal Blaze Coal Company Mine, Mine Index No. 1002, a deep mine, located in Carbon County, Utah, in Subdistrict No. 1 of District No. 20, may be purchased and sold for the indicated uses and movements at per net ton prices in cents per net ton not exceeding the following:

| | Size group No. | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| Rail shipments (including railroad fuel, all uses) | 415 | 415 | 395 | 390 | 395 | 390 | 330 | 310 | 310 | 265 | 265 | 245 | 330 | 305 | 285 |
| Truck shipments | 468 | 428 | 413 | 393 | 398 | 338 | 313 | 273 | 263 | 243 | 233 | 208 | 328 | 298 | 273 |

(c) The prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective January 8, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-546; Filed, Jan. 6, 1945; 11:57 a. m.]

[MPR 120, Order 1254]

CLARK-MCLANE COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Clark-McLane No. 2 Mine of Clark-McLane Coal Company, Fort Smith, Arkansas, is hereby assigned Mine Index No. 1033.

(b) Coals produced by Clark-McLane Coal Company from the Lower Hartsborne Seam, in Sebastian County, Arkansas at its Clark-McLane No. 2 Mine, Mine Index No. 1033, a strip mine, in Production Group No. 5 of District No. 14 are hereby classified as follows and may be purchased and sold for the indicated uses and movements at per net ton prices in cents per net ton not exceeding the following:

| | Size group No. | | | | |
|---|---|---|---|---|---|
| | 3 | 12 | 14 | 15 | 18 |
| Price classifications | F | L | B | B | Q |
| Rail shipments | 485 | 445 | 210 | 210 | 360 |
| Truck shipments | 460 | 425 | 200 | 240 | 395 |

RAILROAD LOCOMOTIVE FUEL

| | |
|---|---|
| Any size prepared coal, single or double-screened, straight mine run, and all resultants larger than 6" x 0 | 335 |
| All resultants larger than 2½" x 0 but not exceeding 6" x 0 | 310 |
| All resultants 2½ x 0 and smaller | 220 |

(c) The prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad locomotive fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective January 8, 1945.

(56 Stat. 23,765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-548; Filed, Jan. 6, 1945; 11:57 a. m.]

[MPR 188, Order 19 Under Order 1052]

CAPITAL CITY MANUFACTURING CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with Order No. 1052 issued under § 1499.159 (b) of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Capital City Mfg. Company, Frankfort, Kentucky, may adjust its maximum prices for all sales and deliveries to retailers of the following articles of wood household furniture which it manufactures, by the amount set forth below opposite each model number, resulting in the following adjusted maximum prices:

| Article | Model No. | Maximum price to retailers | Adjustment permitted by paragraph (d) of Order No. 1052 | Additional adjustment permitted by this order | Total adjusted maximum price to retailers |
|---|---|---|---|---|---|
| | | | | | *Each* |
| Breakfast set | 401-7068 | $13.02 | $0.65 | $0.89 | $14.56 |
| | 8200 | 15.65 | .78 | 1.07 | 17.50 |
| | 7021 | 17.70 | .89 | 1.21 | 19.80 |

The adjustment charges listed above may be made and collected only if each is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942.

(b) *Retailers' maximum prices.* Any retailer of an article listed above, may add to his properly established maximum

prices in effect immediately prior to the effective date of this order no more than the dollar-and-cents amount of the manufacturer's additional adjustment charge permitted by this order and for which he has become obligated. These adjusted retailers' prices are subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles.

(c) *Notification.* At the time of or prior to the first invoice to a retailer on and after the effective date of this order for the sale of an article covered by this order at a price adjusted in accordance with the terms of this order, the manufacturer shall notify the retailer in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. Such notice shall state the number of this order and may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 8th day of January 1945.

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-543; Filed, Jan. 6, 1945; 11:56 a. m.]

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[MPR 120, Order 1253]

## ALLEN AND PARKINSON, ET AL.

### ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 10. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.221 and all other provisions of Maximum Price Regulation No. 120.

ALLEN AND PARKINSON, HARRISBURG, ILL., ALLEN AND PARKINSON MINE, NO. 5 SEAM, MINE INDEX NO. 2012, SALINE COUNTY, ILL., RAIL SHIPPING POINT: HARRISBURG, ILL., DEEP MINE, MAXIMUM RAIL PRICE GROUP NO. 2, SOUTHERN SUBDISTRICT, MAXIMUM TRUCK PRICE GROUP NO. 17-A, SECTION 10.

| | Size group Nos. | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2, 3 | 4, 5 | 6 | 7 | 8 | 9 to 12 incl. | 13, 14 | 15 | 16 | 17 to 20 incl. | 21, 22 | 28 | 23, 24 | 25 | 26, 27 | 29 |
| Rail shipments for all uses | 330 | 330 | 300 | 300 | (1) | 300 | 250 | 210 | 155 | 105 | ---------- | ----- | 295 | ----- | ---- | 230 | 200 |
| Truck shipment | 320 | 320 | 305 | 295 | 285 | 265 | 265 | 235 | 170 | ---- | ---------- | ----- | ---- | ----- | ---- | 250 | ---- |

[1] Size group No. 7, rail shipped coal: Railroad locomotive fuel 260; for all other uses 260.

HART AND WARD, C/O R. S. HART, R. F. D. NO. 3, HARRISBURG, ILL., HART & WARD MINE, NO. 5 SEAM, MINE INDEX NO. 2010, SALINE COUNTY, ILL., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 17-A, SECTION 10

| | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Truck shipment | 320 | 320 | 305 | 295 | 285 | 265 | 265 | 235 | 170 | ---- | ---------- | ----- | ---- | ----- | ---- | 250 | ---- |

HILL TOP COAL CO., C/O MATTOX BROS., R. F. D. NO. 1 MARION, ILL., HILL TOP MINE, NO. 6 SEAM, MINE INDEX NO. 2009, WILLIAMSON COUNTY, ILL., RAIL SHIPPING POINT: MARION, ILL., DEEP MINE, MAXIMUM RAIL PRICE GROUP NO. 5 SOUTHERN SUBDISTRICT, MAXIMUM TRUCK PRICE GROUP NO. 17-A, SECTION 10

| | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Rail shipments for all uses | 260 | 260 | 250 | 250 | (1) | 250 | 210 | 175 | 110 | 95 | ---------- | ----- | ---- | ----- | ---- | 185 | ---- |
| Truck shipment | 320 | 320 | 305 | 295 | 285 | 265 | 265 | 235 | 170 | ---- | ---------- | ----- | ---- | ----- | ---- | 250 | ---- |

[1] Size Group No. 7, rail shipped coal: Railroad locomotive fuel 250, for all other uses 215.

MILLER COAL CO., TAMAROA, ILL., MILLER COAL CO. MINE, NO. 6 SEAM, MINE INDEX NO. 2013, PERRY COUNTY, ILL., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 16-A, SECTION NO. 9

| | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Truck shipment | 315 | 310 | 295 | 285 | 270 | 250 | 260 | 210 | 155 | ---- | ---------- | ----- | ---- | ----- | ---- | 225 | ---- |

OLD BEN COAL CORP., 230 S. CLARK ST., CHICAGO, ILL., OLD BEN NO. 9 MINE, NO. 6 SEAM, MINE INDEX NO. 2006, FRANKLIN COUNTY, ILL., RAIL SHIPPING POINT: WEST FRANKFORT, ILL., DEEP MINE, MAXIMUM RAIL PRICE GROUP NO. 2, SOUTHERN SUBDISTRICT, MAXIMUM TRUCK PRICE GROUP NO. 17-B, SECTION NO. 10.

| | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Rail shipments for all uses | 330 | 330 | 300 | 300 | (1) | 300 | 250 | 210 | 155 | 105 | 260 | 295 | ---- | 240 | 215 | 230 | 200 |
| Truck shipment | 350 | 350 | 335 | 320 | 310 | 310 | 290 | 245 | 195 | 145 | 300 | 295 | ---- | 265 | 245 | 260 | 230 |

[1] Size group No. 7, rail shipped coal: Railroad locomotive fuel 260, for all other uses 260.

SAHARA COAL CO., 59 E. VAN BUREN ST., CHICAGO, ILL., SAHARA NO. 7 MINE, NO. 5 SEAM, MINE INDEX NO. 2007, SALINE COUNTY, ILL., RAIL SHIPPING POINT: HARRISBURG, ILL., DEEP MINE, MAXIMUM RAIL PRICE GROUP NO. 1, SOUTHERN SUBDISTRICT, MAXIMUM TRUCK PRICE GROUP NO. 17-B, SECTION NO. 10

| | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Rail shipments for all uses | 330 | 330 | 300 | 300 | (1) | 300 | 250 | 210 | 155 | 105 | 260 | 295 | ---- | 240 | 215 | 230 | 200 |
| Truck shipment | 350 | 350 | 335 | 320 | 310 | 310 | 290 | 245 | 195 | 145 | 300 | 295 | ---- | 265 | 245 | 260 | 230 |

[1] Size group No. 7, rail shipped coal: Railroad locomotive fuel 260, for all other uses 260.

TURNER COAL CO., MARION, ILL., TURNER MINE, NO. 5 SEAM, MINE INDEX NO. 2011, WILLIAMSON COUNTY, ILL., RAIL SHIPPING POINT: HARRISBURG, ILL., DEEP MINE, MAXIMUM RAIL PRICE GROUP NO. 2, SOUTHERN SUBDISTRICT, MAXIMUM TRUCK PRICE GROUP NO. 17-A, SECTION NO. 10

| | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Rail shipments for all uses | 330 | 330 | 300 | 300 | (1) | 300 | 250 | 210 | 155 | 105 | ---------- | ----- | 295 | ----- | ---- | 230 | 200 |
| Truck shipment | 320 | 320 | 305 | 295 | 285 | 265 | 265 | 235 | 170 | ---- | ---------- | ----- | ---- | ----- | ---- | 250 | ---- |

[1] Size group No. 7, rail shipped coal: Railroad locomotive fuel 260, for all other uses 260.

This order shall become effective January 8, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-547; Filed, Jan. 6, 1945; 11:55 a. m.]

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[MPR 188, Order 3262]

## SCOTT-GRAFF CO., INC.

### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an infant's car seat manufactured by Scott-Graff Co., Inc., 544 Berkshire Avenue, San Antonio, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

| Article | Model No. | Maximum price to persons, other than retailers, who resell from manufacturer's stock | Maximum price to retailers |
|---|---|---|---|
| Infant's car seat | 1 | *Each* $1.53 | *Each* $1.80 |

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated September 25, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942, he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price set forth below, f. o. b. factory:

| Article and Model No.: | *Maximum price to retailers (each)* |
|---|---|
| Infant's car seat, 1 | $1.80 |

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated September 25, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of January 1945.

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-549; Filed, Jan. 6, 1945; 11:57 a. m.]

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[MPR 188, Order 3263]

KINNEY ALUMINUM CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) Kinney Aluminum Company, 5900 South Boyle Avenue, Los Angeles 11, California, the manufacturer, and any other person may sell and deliver the aluminum cooking utensils listed below, to each class of purchaser at prices no higher than those set forth opposite each article:

| Article | Model | Maximum price to consumers | Maximum price to retailers | Maximum price to syndicates and the food industry | Maximum price to jobbers |
|---|---|---|---|---|---|
| | | *Each* | *Each* | *Each* | *Each* |
| Sauce pan and cover | 1 quart deluxe | $3.85 | $2.31 | $2.08 | $1.93 |
| | 1 quart standard | 3.25 | 1.95 | 1.76 | 1.63 |
| | 2 quarts deluxe | 4.50 | 2.70 | 2.43 | 2.25 |
| | 2 quarts standard | 3.65 | 2.19 | 1.97 | 1.83 |
| | 3 quarts deluxe | 5.75 | 3.45 | 3.11 | 2.88 |
| | 3 quarts standard | 4.50 | 2.70 | 2.43 | 2.25 |
| | 4 quarts deluxe | 6.95 | 4.17 | 3.75 | 3.48 |
| | 4 quarts standard | 5.25 | 3.15 | 2.84 | 2.63 |
| | 5 quarts standard | 6.35 | 3.81 | 3.43 | 3.18 |
| | 6 quarts standard | 6.95 | 4.17 | 3.75 | 3.48 |
| Dutch ovens | 5 quarts deluxe | 7.50 | 4.50 | 4.05 | 3.75 |
| | 5 quarts standard | 6.85 | 4.11 | 3.70 | 3.43 |
| | 6 quarts deluxe | 8.50 | 5.10 | 4.59 | 4.25 |
| | 6 quarts standard | 7.65 | 4.59 | 4.13 | 3.83 |
| | 8 quarts standard | 9.15 | 5.49 | 4.94 | 4.58 |
| | 10 quarts deluxe | 11.25 | 6.75 | 6.08 | 5.63 |
| | 11 quarts standard | 11.25 | 6.75 | 6.08 | 5.63 |
| Frying pans without cover | 6 inches deluxe | 2.25 | 1.35 | 1.22 | 1.13 |
| | 6 inches standard | 1.50 | .90 | .81 | .75 |
| | 7 inches standard | 1.90 | 1.14 | 1.03 | .95 |
| | 7½ inches deluxe | 2.75 | 1.65 | 1.49 | 1.38 |
| Frying pans with cover | 8 inches standard | 3.95 | 2.37 | 2.13 | 1.98 |
| | 8¾ inches deluxe | 5.35 | 3.21 | 2.89 | 2.68 |
| | 9 inches standard | 4.50 | 2.70 | 2.43 | 2.25 |
| | 10 inches deluxe | 6.40 | 3.84 | 3.46 | 3.20 |
| | 10 inches standard | 5.20 | 3.12 | 2.81 | 2.60 |
| | 11 inches standard | 5.75 | 3.45 | 3.11 | 2.88 |
| | 12 inches deluxe | 7.95 | 4.77 | 4.29 | 3.98 |
| Chicken fryer with cover | 10 inches deluxe | 7.25 | 4.35 | 3.92 | 3.63 |
| | 10 inches standard | 5.45 | 3.27 | 2.94 | 2.73 |
| | 11 inches standard | 6.55 | 3.93 | 3.54 | 3.28 |
| | 12 inches deluxe | 9.25 | 5.55 | 5.00 | 4.63 |
| Oval roasters with cover | 10 x 13 deluxe | 10.95 | 6.57 | 5.91 | 5.48 |
| | 10 x 13 standard | 7.95 | 4.77 | 4.29 | 3.98 |
| | 11 x 16 deluxe | 14.95 | 8.97 | 8.07 | 7.48 |
| | 11 x 16 standard | 11.95 | 7.17 | 6.45 | 5.98 |
| | 12 x 18 deluxe | 18.95 | 11.37 | 10.23 | 9.48 |
| | 12 x 18 standard | 13.25 | 7.95 | 4.29 | 6.63 |
| Griddles with ball | 10½" round, standard | 2.95 | 1.77 | 1.59 | 1.48 |
| Griddles with handle | do | 3.25 | 1.95 | 1.76 | 1.63 |
| | 12½" square, deluxe | 5.75 | 3.45 | 3.11 | 2.88 |
| | 12½" square, standard | 4.25 | 2.55 | 2.30 | 2.13 |
| Griddles with bale | 12½ inches round deluxe | 5.25 | 3.15 | 2.84 | 2.63 |
| Griddles with handle | do | 5.50 | 3.30 | 2.97 | 2.75 |
| Coffee pots | 6–8 cup deluxe | 6.35 | 3.81 | 3.43 | 3.18 |
| | 6–8 cup standard | 4.75 | 2.85 | 2.57 | 2.38 |
| | 10–12 cup deluxe | 8.75 | 5.25 | 4.73 | 4.38 |
| | 10–12 cup standard | 7.55 | 4.53 | 4.08 | 3.78 |
| Water kettle or tea kettle | 3 quart deluxe | 6.25 | 3.75 | 3.38 | 3.13 |
| Water kettle | 3 quart standard | 5.50 | 3.30 | 2.97 | 2.75 |
| Pressure cooker | 2 quart deluxe | 11.25 | 6.75 | 6.08 | 5.63 |
| | do | 13.25 | 7.95 | 7.16 | 6.63 |
| | 4 quart deluxe | 15.25 | 9.15 | 8.24 | 7.63 |

(1) For sales by the manufacturer these maximum prices are f. o. b. factory, subject to a discount of 2% for payment within 10 days, net 30 days, and apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(2) If the manufacturer wishes to sell to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington 25, D. C., under the fourth pricing method, § 1499.158 for the establishment of maximum prices for those sales, and no sale or delivery may be made until authorization has been received from this office. For sales by any person other than the manufacturer, these maximum prices are subject to the seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles to each class of purchaser, and apply to all sales and deliveries after the effective date of this order.

(b) To every aluminum kitchen utensil, for which maximum prices are established by this order, which is shipped to a purchaser for resale on or after the effective date of this order, the manufacturer shall attach a tag or label containing the following statement with the blanks properly filled in:

OPA Retail Ceiling Price—$_____
This tag may not be removed before delivery to the consumer.

(c) At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, the manufacturer, and every other seller to a purchaser for resale, shall notify the purchaser in writing of the maximum prices and conditions established by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order No. 3263 shall become effective on the 8th day of January 1945.

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-550; Filed, Jan. 6, 1945; 11:55 a. m.]

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[MPR 188, Order 3264]

BETTER SELLERS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Reg-

ister, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a child's rocker manufactured by Better Sellers, Inc., 160 North La Salle Street, Chicago 1, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

| Article | Model No. | Maximum price to persons, other than retailers, who resell from manufacturer's stock | Maximum price to retailers |
|---|---|---|---|
| Child's rocker | 10 | *Each* $1.36 | *Each* $1.60 |

These prices are f. o. b. factory, and are subject to a cash discount or one percent for payment on receipt of bill of lading, net ten days, and are for the article described in the manufacturer's application dated October 25, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

| Article and Model No.: | *Maximum price to retailers (each)* |
|---|---|
| Child's rocker, #10 | $1.60 |

This price is subject to a cash discount of one percent for payment on receipt of bill of lading, net ten days, and is for the article described in the manufacturer's application dated October 25, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of January 1945.

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-551; Filed, Jan. 6, 1945; 11:56 a. m.]

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[MPR 188, Order 3265]

## LITTLEWOOD OF HOLLYWOOD

### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a high chair manufactured by Littlewood of Hollywood, 1017 South Grand Avenue, Los Angeles, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

| Article | Model No. | Maximum price to persons, other than retailers, who resell from manufacturer's stock | Maximum price to retailers |
|---|---|---|---|
| High chair | Stork | *Each* $8.88 | *Each* $10.45 |

These prices are f. o. b. factory, and are subject to a cash discount of two percent E. O. M., and are for the article described in the manufacturer's application dated August 8, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

| Article and Model No.: | *Maximum price to retailers (each)* |
|---|---|
| High chair, Stork | $10.45 |

This price is subject to a cash discount of two percent E. O. M., and is for the article described in the manufacturer's application dated August 8, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of January, 1945.

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-552; Filed, Jan. 6, 1945; 11:59 a. m.]

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[MPR 188, Order 3266]

## CONSOLIDATED CARRIAGE REBUILDERS

### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a "Tally-Ho" seat manufactured by Consolidated Carriage Rebuilders, 1712 University Avenue, New York, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

| Article | Model No. | Maximum price to persons, other than retailers, who resell from manufacturer's stock | Maximum price to retailers |
|---|---|---|---|
| "Tally-Ho" seat | | *Each* $1.70 | *Each* $2 |

These prices are f. o. b. factory, and are subject to a cash discount of two percent E. O. M., and are for the article

described in the manufacturer's application dated November 7, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

| Article and model No.: | *Maximum Price to retailers (each)* |
|---|---|
| "Tally-Ho" seat | $2.00 |

This price is subject to a cash discount of two percent EOM, and is for the article described in the manufacturer's application dated November 7, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of January 1945.

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-553; Filed, Jan. 6, 1945; 11:58 a. m.]

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[MPR 188, Order 3267]

HOWARD MCCLAIN

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a nursery chair manufactured by Howard McClain, 23 West Frankfort Street, Columbus, Ohio.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

| Article | Model No. | Maximum price to persons, other than retailers, who resell from manufacturer's stock | Maximum price to retailers |
|---|---|---|---|
| | | *Each* | *Each* |
| Nursery chair | 001 | $1.78 | $2.09 |

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated November 3, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

| Article and model No.: | *Maximum Price to retailers (each)* |
|---|---|
| Nursery chair, 001 | $2.09 |

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated November 3, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of January 1945.

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-554; Filed, Jan. 6, 1945; 11:58 a. m.]

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[MPR 188, Order 3268]

TOYAD CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a chaise longue frame, a chaise longue, a chair frame, a chair, a love seat frame, a love seat, a tete-a-tete frame, a tete-a-tete, an ottoman frame, an ottoman, a tilt-back couch frame, a tilt-back couch, an umbrella table, a bench and a barbecue set manufactured by Toyad Corporation, 5001 Baum Blvd., Pittsburgh, Pennsylvania.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

| Article | Model No. | Maximum price to persons, other than retailers, who resell from manufacturer's stock | Maximum price to retailers |
|---|---|---|---|
| | | *Each* | *Each* |
| Chaise longue frame | 101 | $9.22 | $10.85 |
| Chaise longue | 101 | 14.28 | 16.80 |
| Chair frame | 102 | 8.05 | 9.48 |
| Chair | 102 | 12.86 | 15.14 |
| Love seat frame | 103 | 10.99 | 12.94 |
| Love seat | 103 | 18.64 | 21.94 |
| Tete-a-tete frame | 104 | 17.85 | 21.00 |
| Tete-a-tete | 104 | 25.50 | 30.00 |
| Ottoman frame | 105 | 3.06 | 3.60 |
| Ottoman | 105 | 4.36 | 5.14 |
| Tilt-back couch frame | 106 | 15.05 | 17.71 |
| Tilt-back couch | 106 | 25.16 | 29.61 |
| Umbrella table | 107 | 7.64 | 9.00 |
| Bench | 108 | 2.55 | 3.00 |
| Barbecue set | 109 | 10.96 | 12.90 |

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated October 30, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufac-

turer did not make such sales during March 1942, he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

| Article and Model No.: | *Maximum price to retailers (each)* |
|---|---|
| Chaise longue frame, 101 | $10.85 |
| Chaise longue, 101 | 16.80 |
| Chair frame, 102 | 9.48 |
| Chair, 102 | 15.14 |
| Love seat frame, 103 | 12.94 |
| Love seat, 103 | 21.94 |
| Tete-A-Tete frame, 104 | 21.00 |
| Tete-A-Tete, 104 | 30.00 |
| Ottoman frame, 105 | 3.60 |
| Ottoman, 105 | 5.14 |
| Tilt-back couch frame, 106 | 17.71 |
| Tilt-back couch, 106 | 29.61 |
| Umbrella table, 107 | 9.00 |
| Bench, 108 | 3.00 |
| Barbecue set, 109 | 12.90 |

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated October 30, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of January 1945.

Issued this 6th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-555; Filed, Jan. 6, 1945; 11:59 a. m.]

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[Order 753 Under 3 (b)]

## FLORITE CO.

### ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to §§ 1499.3 (b) (2) and 1499.3 (e) (3), it is ordered:

*Maximum prices for sales of Florite.* (a) The maximum prices for sales of Florite, a floor conditioner containing pine oil, waxes, petroleum, distillates and fibre, produced by The Florite Company, Nacogdoches, Texas, shall be:

| | List price sales at retail | To retail dealers | To jobbers and distributors |
|---|---|---|---|
| Quart size | *Cents* 95 | *Cents* [1] 68 | *Cents* [1] 56 |

[1] Delivered.

(b) All prices shall be subject to the discounts, allowances and trade practices of the seller in effect during March 1942.

(c) No extra charge may be made for containers.

(d) With or prior to the first delivery of Florite to any jobber or distributor, The Florite Company shall furnish such jobber or distributor with a written notice as follows:

NOTICE

(1) Our maximum price: Quart size, 56 cents delivered.

(2) Your maximum price to retail dealers: Quart size, 68 cents delivered.

(3) Maximum price for sales at retail: Quart size, 95 cents.

*Instructions.* You are required by the Office of Price Administration to send with or prior to your first delivery to a retail dealer a notice as follows:

NOTICE

Our maximum price: Quart size, 68 cents delivered.

Your maximum price: Quart size, 95 cents.

(e) With or prior to the first delivery of Florite to any retailer, every seller shall furnish such retailer with a written notice as set forth in the jobber-distributor's "Instructions" in paragraph (d) above.

(f) The Florite Company shall mark each size of Florite to indicate the maximum price for sales at retail as follows:

Quart size Retail Ceiling Price 95 cents

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 9, 1945.

Issued this 8th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-625; Filed, Jan. 8, 1945; 11:45 a. m.]

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[MPR 120, Order 1255]

## H. & R. COAL CO.

### ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *it is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

H. & R. COAL CO., 112 EAST FAYETTE ST., UNIONTOWN, PA., HENCKEL (JUNIATA) MINE, PITTSBURGH SEAM, MINE INDEX NO. 4252, FAYETTE COUNTY, PA., SUBDIST. 3, RAIL SHIPPING POINT: P. R. R. SDG. 6895, PA., STRIP MINE, R. R. FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP NO. 7

| | Size group Nos. | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| Price classification | E | E | C | C | B | B | C | C | C | ------ | ------ |
| Rail shipment | 310 | 310 | 310 | 310 | 310 | 300 | 275 | 275 | 255 | ------ | ------ |
| Railroad fuel | 310 | 310 | 310 | 310 | 310 | 300 | 275 | 275 | 255 | 245 | ------ |
| Truck shipment | 415 | 415 | 415 | 385 | 375 | 375 | 375 | 310 | 290 | 290 | 265 |

HILLCREST COAL CO., LTD., FOXBURG, PA., HILLCREST NO. 2 MINE, KITTANNING SEAM, MINE INDEX NO. 4265, BUTLER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT: FOXBURG, PA., STRIP MINE, R. R. FUEL PRICE GROUP 15, MAXIMUM TRUCK PRICE GROUP NO. 2

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Price classification | E | E | D | D | C | C | D | D | D | ------ | ------ |
| Rail shipment | 310 | 310 | 300 | 300 | 310 | 300 | 270 | 270 | 245 | ------ | ------ |
| Railroad fuel | 310 | 310 | 300 | 300 | 310 | 300 | 270 | 270 | 245 | 245 | ------ |
| Truck shipment | 435 | 435 | 435 | 415 | 405 | 405 | 405 | 320 | 290 | 290 | 270 |

D. S. INKS, 209 S. MT. VERNON AVE., UNIONTOWN, PA., CARROLL MINE, FREEPORT SEAM, MINE INDEX NO. 2333,[1] FAYETTE COUNTY, PA., SUBDIST. 3, RAIL SHIPPING POINT: UNIONTOWN AND/OR OHIOPYLE, PA., DEEP MINE, R. R. FUEL PRICE GROUP 1

| | Size group Nos. | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| Price classification | F | F | E | E | E | E | F | F | F | | |
| Rail shipment | 310 | 310 | 305 | 305 | 305 | 295 | 275 | 275 | 260 | ------ | ------ |
| Railroad fuel | 315 | 315 | 315 | 315 | 315 | 300 | 275 | 275 | 270 | 270 | ------ |
| Truck shipment [1] | 415 | 415 | 415 | 385 | 375 | 375 | 375 | 310 | 290 | 290 | 265 |

DONALD F. INKS, 88 CHEW ST., UNIONTOWN, PA., NELSON MINE, FREEPORT SEAM, MINE INDEX NO. 2639,[1] FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: UNIONTOWN AND/OR OHIOPYLE, PA., DEEP MINE, R. R. FUEL PRICE GROUP 1

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Price classification | F | F | E | E | E | E | F | F | F | ------ | ------ |
| Rail shipment | 310 | 310 | 305 | 305 | 305 | 295 | 275 | 275 | 260 | ------ | ------ |
| Railroad fuel | 315 | 315 | 315 | 315 | 315 | 300 | 275 | 275 | 270 | 270 | ------ |
| Truck shipment [1] | 415 | 415 | 415 | 385 | 375 | 375 | 375 | 310 | 290 | 290 | 265 |

J. A. IRWIN, 212 COURT OFFICE BLDG., WASHINGTON, PA., J. A. IRWIN MINE, PITTSBURGH SEAM, MINE INDEX NO. 4260, WASHINGTON COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: HOUSTON, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 2, MAXIMUM TRUCK PRICE GROUP NO. 6

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Price classification | C | C | C | C | F | F | F | F | F | ------ | ------ |
| Rail shipment | 325 | 325 | 310 | 310 | 275 | 265 | 250 | 250 | 235 | ------ | ------ |
| Railroad fuel | 325 | 325 | 310 | 310 | 290 | 275 | 250 | 250 | 235 | 235 | ------ |
| Truck shipment | 425 | 425 | 425 | 385 | 375 | 375 | 375 | 325 | 290 | 290 | 255 |

ADAM MAIDA, BOX 141, OAKDALE, PA., NORTH OAKDALE MINE, PITTSBURGH SEAM, MINE INDEX NO. 4248, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: OAKDALE, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 2, MAXIMUM TRUCK PRICE GROUP NO. 5

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Price classification | C | C | C | C | F | F | F | F | F | ------ | ------ |
| Rail shipment | 350 | 350 | 335 | 335 | 300 | 290 | 275 | 275 | 260 | ------ | ------ |
| Railroad fuel | 350 | 350 | 335 | 335 | 315 | 300 | 275 | 275 | 260 | 260 | ------ |
| Truck shipment | 425 | 425 | 425 | 390 | 360 | 360 | 360 | 325 | 285 | 285 | 270 |

PERRY COAL CO., PERRYOPOLIS, PA., ALTMAN STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4261, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: EXPORT, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 8

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Price classification | D | D | C | C | C | C | D | D | D | ------ | ------ |
| Rail shipment | 310 | 310 | 310 | 310 | 310 | 300 | 270 | 270 | 245 | ------ | ------ |
| Railroad fuel | 310 | 310 | 310 | 310 | 310 | 300 | 270 | 270 | 245 | 245 | ------ |
| Truck shipment | 415 | 415 | 415 | 395 | 365 | 365 | 365 | 305 | 285 | 285 | 255 |

J. M. KING AND SONS, BOX 772, MASONTOWN, PA., HAUGHT MINE, PITTSBURGH SEAM, MINE INDEX NO. 2087,[1] FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: MASONTOWN, PA., DEEP AND STRIP MINE, RAILROAD FUEL PRICE GROUP 6

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Price classification | E | E | C | C | C | D | D | D | D | | |
| Rail shipment | 335 | 335 | 335 | 335 | 335 | 315 | 295 | 295 | 270 | ------ | ------ |
| Railroad fuel | 335 | 335 | 335 | 335 | 335 | 315 | 295 | 295 | 270 | 270 | ------ |
| Truck shipment [1] | 415 | 415 | 415 | 385 | 375 | 375 | 375 | 310 | 290 | 290 | 265 |

[1] Previously established.

The foregoing maximum prices for Mine Index 2087 for rail shipments and railroad fuel apply to deep mined coals. Strip mined coals for rail shipments and railroad fuel, pursuant to §1340.213 (b) (2) of MPR 120 are subject to maximum prices 25¢ per ton less than deep-mined coal.

This order shall become effective January 9, 1945.

(56 Stat. 23, 765; 57 Stat. 556; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of January, 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-622; Filed, Jan. 8, 1945; 11:45 a. m.]

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[MPR 188, Order 3269]

## CHATSWORTH MANUFACTURING CO.

### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneoulsy herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) The maximum prices for all sales and deliveries by Chatsworth Manufacturing Company, Chatsworth, Georgia, of automobile tire pumps of its manufacture, as described in its application dated November 9, 1944 after such articles became subject to Maximum Price Regulation No. 188, are as follows:

| Article | Catalog No. | Maximum selling prices to— | |
|---|---|---|---|
| | | Jobbers | Retailers |
| Tire pump | 101 | *Each* $1.50 | *Each* $2.10 |

These maximum prices are f. o. b. factory and are subject to a cash discount of 2%—10 days, net 30 days.

(b) The maximum price for all sales and deliveries at wholesale for the tire pumps described in paragraph (a) above shall be the prices set forth below as follows:

| Article and catalog number: | *Maximum selling price to retailers (each)* |
|---|---|
| Tire Pump, 101 | $2.10 |

These prices are f. o. b. seller's city and are subject to terms, discounts and allowances no less favorable than those customarily granted by the seller.

(c) The maximum prices for a sale at retail of the tire pumps described in paragraph (a) above shall be as follows:

| Article and catalog number: | *Maximum selling price to consumers (each)* |
|---|---|
| Tire Pump, 101 | $3.00 |

(d) On each tire pump shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser; and every jobber who sells an article covered by this order to another jobber shall notify that purchaser in writing of the maximum price established by this order for resales by that purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 3269 may be revoked or amended by the Price Administrator at any time.

This Order No. 3269 shall become effective on the 9th day of January, 1945.

Issued this 8th day of January 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 46-624; Filed, Jan. 8, 1945; 11:45 a. m.]

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## Regional and District Office Orders.

[Region I Order G-28 Under RMPR 122, Amdt. 1]

### SOLID FUELS IN BANGOR, ME., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-28 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. That portion of Price Schedule I in paragraph (b) (1) which establishes specific maximum prices for Ambricoal is amended to read as follows:

| Kind and size | Per net ton | Per ½ ton | Per ¼ ton | Per 100 lbs. |
|---|---|---|---|---|
| * | * | * | * | * |
| Ambricoal | $15.75 | $8.15 | $4.35 | $0.90 |

2. That portion of Price Schedule II in paragraph (c) (1) which establishes specific maximum prices for Ambricoal is amended to read as follows:

| Kind and size | Per net ton | Per ½ ton | Per ¼ ton | Per 100 lbs. |
|---|---|---|---|---|
| * | * | * | * | * |
| Ambricoal | $15.25 | $7.65 | $3.85 | $0.80 |

3. That portion of Price Schedule III in paragraph (d) (1) which establishes specific maximum prices for Ambricoal is amended to read as follows:

| Kind and size | Per net ton | Per ½ ton | Per ¼ ton |
|---|---|---|---|
| * | * | * | * |
| Ambricoal | $12.90 | $6.45 | $3.25 |

4. In subparagraph (2) of paragraph (h) before the final word "Coke" the words "New England" are inserted.

5. A new subparagraph (3a) is added to paragraph (h) to read as follows:

(3a) "New England coke" means that coke which is produced by the New England Coke Company, or its affiliated producing company, at their plant in Everett, Massachusetts.

This Amendment No. 1 to Order G–28 shall become effective January 4, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of December 1944.

FRANK D. O'NEIL,
*Acting Regional Administrator.*

[F. R. Doc. 45–472; Filed, Jan. 5, 1945; 1:27 p. m.]

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[Region I Order G–35 Under 18 (c), Amdt. 3]

FIREWOOD IN VERMONT

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G–35 under section 18 (c) of the General Maximum Price Regulation is amended in the following respects:

1. Amendments No. 1 and No. 2 are revoked.

2. Paragraphs (e), (f), and (g) as they existed prior to the issuance of Amendments No. 1 and No. 2 are redesignated (f), (g) and (h), respectively, and a new paragraph (e) is inserted to read as follows:

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale,

(2) The name and address of the buyer and seller,

(3) The quantity of firewood sold,

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., first quality firewood or second quality firewood and length of pieces of wood.)

(5) Place of sale (if the price is dependent on place of delivery, then the place of delivery shall be stated).

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts granted.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment to Order No. G–35 shall become effective December 26, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of December 1944.

ELDON C. SHOUP,
*Regional Administrator.*

[F. R. Doc. 45–471; Filed, Jan. 5, 1945; 1:27 p. m.]

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[Region I Order G–39 Under 18 (c), Amdt. 1]

FIREWOOD IN NEW HAMPSHIRE

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment 33, *It is hereby ordered,* That a new paragraph numbered (15a) be added following the paragraph numbered (15) in section (e), to read as set forth below:

(15a) "Manchester," "Nashua," "Portsmouth," "Berlin," and "Gorham" shall mean the areas lying within the corporate limits of the respective political subdivisions designated by those names in the State of New Hampshire, except that for the purposes of this order the "Manchester" area shall also include that portion of the Town of Goffstown that is included in School District No. 5 of said Town of Goffstown.

This amendment to Order No. G–39 shall become effective December 11, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of December 1944.

ELDON C. SHOUP,
*Regional Administrator.*

[F. R. Doc. 45–466; Filed, Jan. 5, 1945; 1:26 p. m.]

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[Region II Order G–27 Under RMPR 122, Amdt. 3]

SOLID FUELS IN DELAWARE AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G–27 is amended in the following respects:

1. Paragraph (d) (1) is amended to substitute for the designation "coke" the designation "by-product and retort gas coke."

2. Paragraph (d) (2) is amended by substituting for the designation "coke" the designation "by-product and retort gas coke."

3. Paragraph (q) is amended by redesignating sub-paragraphs (15) and (16) as sub-paragraphs (17) and (18), respectively, and adding two new subparagraphs after sub-paragraph (14), designated (15) and (16), to read as follows:

(15) "By-product coke" means all coke and coke braise made in by-product oven plants.

(16) "Retort gas coke" means all coke and coke braise made in gas retort plants.

This Amendment No. 3 to Order No. G–27 shall become effective December 26, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of December 1944.

DANIEL P. WOOLLEY,
*Regional Administrator.*

[F. R. Doc. 45–470; Filed, Jan. 5, 1945; 1:27 p. m.]

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[Region II Order G–31 Under RMPR 122, Amdt. 1]

SOLID FUELS IN NEW YORK

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G–31 is amended in the following respect:

1. Paragraphs (a) and (b) are amended to substitute for the words "Revised Order No. G–28", where they appear in those paragraphs, the words "Order No. G–54".

This Amendment No. 1 to Revised Order No. G–31 shall become effective December 26, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of December 1944.

DANIEL P. WOOLLEY,
*Regional Administrator.*

[F. R. Doc. 45–463; Filed, Jan. 5, 1945; 1:25 p. m.]

[Region II Order G–43 Under RMPR 122, Amdt. 1]

SOLID FUELS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G–43 is amended in the following respect:

1. Paragraph (b) is amended by adding to the list of orders, there enumerated, the following:

Order No. G–42 under sections 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.
Order No. G–44 under sections 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.
Order No. G–45 under sections 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.
Order No. G–46 under sections 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.
Order No. G–49 under sections 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.
Order No. G–51 under sections 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.
Order No. G–52 under sections 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

This Amendment No. 1 to Order No. G–43 shall become effective December 26, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of December 1944.

DANIEL P. WOOLLEY,
*Regional Administrator.*

[F. R. Doc. 45–465; Filed, Jan. 5, 1945; 1:25 p. m.]

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[Region II Order G–48 Under RMPR 122, Amdt. 1]

SOLID FUELS IN DESIGNATED COUNTIES IN PENNSYLVANIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G–48 is amended in the following respect:

1. Paragraphs (a) and (b) are amended to substitute for the words "Revised Order No. G–28", where they appear in those paragraphs, the words "Order No. G–54".

This Amendment No. 1 to Order No. G–48 shall become effective December 26, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of December 1944.

DANIEL P. WOOLLEY,
*Regional Administrator.*

[F. R. Doc. 45–464; Filed, Jan. 5, 1945; 1:25 p. m.]

[Region IV Order G–1 Under MPR 376]

FRESH TOMATOES IN ATLANTA REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, of the Office of Price Administration by section 4 (c) of Maximum Price Regulation 376 as amended, it is hereby ordered:

(a) *Maximum prices for fresh tomatoes, except hothouse tomatoes, delivered to any wholesale receiving point in Region IV in any quantity.* The maximum price for sales (other than at retail) of fresh tomatoes other than hothouse tomatoes delivered to any wholesale receiving point located in the Atlanta Region (Region IV) in any quantity shall be 18.75¢ per pound plus "freight" from Nogales, Arizona to such wholesale receiving point and the cost of protective services as hereinafter defined.

(b) *Maximum markups to be added to the maximum delivered price at any wholesale receiving point.* The following table states the maximum prices which may be added for certain distributive services. In each case the maximum price shall be figured by adding the appropriate markup to the delivered maximum price for the applicable wholesale receiving point. The markups set forth in columns 2, 3, 4, and 5 may be added to the maximum price per pound set forth in paragraph (a) above.

| Col. 1 | Col. 2 | Col. 3 | Col. 4 | Col. 5 |
|---|---|---|---|---|
| Style of pack | Sales by anyone other than a grower or country shipper who has purchased a carlot or trucklot and sells such carlot or trucklot unbroken | Sales by primary receivers in less-than-trucklots, or carlots | Sales by secondary jobbers in any quantity, delivered to premises of purchaser | Sales by service wholesalers, delivered to premises of any retail store, Government procurement agency or institutional buyer within the free zone |
| "Original" tomatoes packed in any container | 0.004 | 0.014 | 0.028 | 0.028 |
| "Repacked" tomatoes in containers other than "consumer type" cartons or 24# "repacker type" crates | ---------- | .040 | .054 | .054 |
| "Repacked" tomatoes packed in 24# "repacker type" crate | ---------- | .045 | .059 | .059 |
| "Repacked" tomatoes packed in "consumer type" cartons | ---------- | .060 | .074 | .074 |
| All tomatoes sold loose and ungraded in bulk | .002 | .004 | ---------- | ---------- |

(c) *Sales by growers or country shippers on a delivered basis*—(1) *Sales by growers or country shippers delivered to any wholesale receiving point.* The maximum price for sales of fresh tomatoes other than hothouse tomatoes by growers or country shippers at any wholesale receiving point located in Region IV shall be computed as provided in paragraph (a) above.

(2) *Other delivered sales by growers and country shippers.* The maximum markups set forth in paragraph (b) do not apply to sales by growers or country shippers. For delivered sales other than those set forth in paragraph (c) (1), the maximum prices for growers or country shippers shall be determined as follows:

(i) For sales by growers or country shippers delivered within a radius of 225 miles of the country shipping point, directly from the grower's farm, ranch or place of business at the country shipping point to the premises of (1) retail stores where resale is made to ultimate consumers, (2) institutional buyers, or (3) designated receiving depots of government procurement agencies, where the delivery of the particular goods being priced is made in an "original conveyance", owned or leased and operated by the grower or country shipper (and not furnished, owned or controlled, directly or indirectly, by the buyer), the maximum price in each case is the price for the listed commodity delivered to the wholesale receiving point, plus the markup set forth in column 5 of the table in paragraph (b) above.

(ii) For sales by growers or country shippers delivered, within a radius of 225 miles of the country shipping point, directly from the grower's farm, ranch or place of business at the country shipping point to the premises of intermediate sellers or to retailers' warehouses, where the delivery of the particular goods being priced is made in an "original conveyance", owned or leased and operated by the grower or country shipper (and not furnished, owned or controlled, directly or indirectly, by the buyer), the maximum price in each case is the price determined for a delivered sale to the wholesale receiving point plus one-half the markup named in column 5 of the table in paragraph (b) above.

(iii) For sales by growers or country shippers in a farmer's market located at a wholesale receiving point within a radius of 225 miles of the country shipping point, where the goods being priced have been transported to the farmer's market in an "original conveyance," owned or leased and operated by the grower or country shipper (and not furnished, owned or controlled directly or indirectly by the buyer), the maximum price in each case is the price determined for sales delivered to the wholesale receiving point in question plus the markup named in column 5 of the table in paragraph (b) above.

(iv) For sales by growers or country shippers to ultimate consumers, the maximum price in each case is the price for sales delivered to the wholesale receiving point in question plus the markup set forth in column 5 of paragraph (b) above multiplied by 1.33. However, such price shall not exceed any applicable community price established by the Office of Price Administration.

(v) For sales by growers or country shippers not covered by subdivisions (i) through (iv) above, the maximum price

in each case shall be the price for sales delivered to the appropriate wholesale receiving point.

(d) *Definitions.* (1) "Freight" from Nogales, Arizona, to the wholesale receiving point means the cost per pound for transportation by the cheapest customary and generally available means. It includes the transportation tax imposed by § 6.20 of the Revenue Act of 1942.

(2) "Protective service" shall include the actual amount paid for such services in moving tomatoes from the point of origin to the wholesale receiving point. This amount may include actual payments for precooling, initial icing, or refrigeration service.

(3) "Original" means tomatoes which are not ripened, regraded or repacked by anyone other than the occasional repacking which an intermediate seller may undertake to eliminate loss from tomatoes which have been held too long.

(4) "Repacked" means tomatoes which have been removed from the original container and graded as to color, size and uniform degree of maturity and repacked in any container.

(5) "Repacker type" refers to crates of 24-pound capacity net weight which are especially designed slat type crates which may be relined with cardboard and paper for greater protection and are so designed that the fruit may be packed "tight" without crushing when the crates are stacked.

(6) "Consumer type" refers to cartons which are pasteboard boxes holding not more than five pounds net weight, with or without cellophane windows or other devices for display purposes.

(7) "Packed," with reference to "original" tomatoes at the country shipping point, means assembled and placed in a container so that the container is filled tightly and closed by a lid or other device.

(8) "Bulk" means loaded "loose" into a freight car or truck or dumped "loose" into containers not furnished by the seller.

(9) "Wholesale receiving point" refers to any place at which an intermediate seller receives fruits or vegetables.

(10) "Primary receiver" means a person who for his own account and profit buys the particular goods being priced in unbroken carloads or unbroken truckloads for resale in less than carlots or less than trucklots to persons other than ultimate consumers. For sales of particular lots of tomatoes in unbroken carlots or trucklots, such a seller shall not be considered a primary receiver but shall determine his maximum markup in accordance with the provisions of column 2 in the table in paragraph (b).

(11) "Secondary jobber" means a person other than a retailer who for his own account and profit purchases the particular goods being priced in less-than-carlots or less-than-trucklots and resells it in any quantities.

(12) "Service wholesaler" means a person who maintains a store or warehouse at which the particular goods being priced is received and stored or warehoused, who receives the commodity at the premises of his store or warehouse, who maintains at such store or warehouse facilities for cold storage, ripening, trimming, sorting, washing, packing and other handling of the listed commodity, who employs salesmen to call on the trade in the city or country points which he services, and who sells the particular goods being priced to retail stores, government procurement agencies or institutional buyers.

(13) "Delivered" as used in columns 4 and 5 of the table in paragraph (b) means delivered to the buyer's premises within the free delivery zone and, in the case of retailers, delivered to the retail store within such zone.

(14) "Net weight" means the actual weight of tomatoes without including the weight of the container or ice.

(15) "Grower" means a person who produces fresh fruits or vegetables.

(16) "Country shipper" means any person, including a grower, grower's cooperative, or packer, who grades, sizes, packs or otherwise prepares tomatoes for initial shipment and who sells the commodity from a farm, orchard, grove or other country shipping point. A person who has tomatoes prepared or packed for him for sale shall be deemed a country shipper, and the country shipping point shall be deemed the place where the particular tomatoes have been prepared for shipment.

Unless the context otherwise requires, the definitions set forth in sections 13 (a) and (b) of Maximum Price Regulation 376 shall apply to other terms used herein.

(e) This order may be revoked, amended or corrected at any time.

(f) This order shall become effective December 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: December 19, 1944.

THOMAS L. HISGEN,
*Acting Regional Administrator.*

Approved:

JAMES H. PALMER,
*Regional Director O. D. WFA.*

[F. R. Doc. 45-476; Filed, Jan. 5, 1945; 1:29 p. m.]

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[Raleigh Rev. Order G-1 Under Gen. Order 50, Amdt. 3]

## MALT AND CEREAL BEVERAGES IN RALEIGH, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Raleigh, North Carolina District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, *It is hereby ordered*, That Appendices A and B of Revised Order No. G-1 under General Order No. 50 are amended to read as follows:

APPENDIX A

PART I—BOTTLED BEERS AND ALES

GROUP 1B

| Commodity and brand or trade name | Maximum price per bottle | |
|---|---|---|
| | 12-ounce | 32-ounce |
| Beer: | | |
| Ballantine | $0.25 | $0.50 |
| Barbarossa | .25 | .50 |
| Blatz Pilsner | .25 | .50 |
| Budweiser | .25 | .50 |
| Canadian Ace | .25 | .50 |
| Loewers | .25 | .50 |
| Miller's High Life | .25 | .50 |
| Namar Premium | .25 | .50 |
| National Premium | .25 | .50 |
| Pabst Blue Ribbon | .25 | .50 |
| Schlitz | .25 | .50 |
| Trim | .25 | .50 |
| Tru-Blu Old Fashioned | .25 | .50 |
| Ale: | | |
| Ballantine | .25 | .50 |
| Canadian Ace | .25 | .50 |
| Carling's Red Cap | .25 | .50 |
| Champ | .30 | ---------- |
| Krueger Cream | .25 | .50 |
| Red Top | .25 | .50 |
| Imported beer: | | |
| Carta Blanca | .35 | ---------- |
| All other brands of domestic or imported beer and ale not listed above and not listed in appendix B hereof including unlabeled beer and ale | .20 | .45 |

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is sepaartely stated and collected.

(See part II of this Appendix A for draft beer and ale.)

GROUP 2B

| Commodity and brand or trade name | Maximum price per bottle | |
|---|---|---|
| | 12-ounce | 32-ounce |
| Beer: | | |
| Ballantine | $0.20 | $0.45 |
| Barbarossa | .20 | .45 |
| Blatz Pilsner | .20 | .45 |
| Budweiser | .20 | .45 |
| Canadian Ace | .20 | .45 |
| Loewers | .20 | .45 |
| Miller's High Life | .20 | .45 |
| Namar Premium | .20 | .45 |
| National Premium | .20 | .45 |
| Pabst Blue Ribbon | .20 | .45 |
| Schlitz | .20 | .45 |
| Trim | .20 | .45 |
| Tru-Blu Old Fashioned | .20 | .45 |
| Ale: | | |
| Ballantine | .20 | .45 |
| Canadian Ace | .20 | .45 |
| Carling's Red Cap | .20 | .45 |
| Champ | .25 | ---------- |
| Krueger Cream | .20 | .45 |
| Red Top | .20 | .45 |
| Imported beer: | | |
| Carta Blanca | .30 | ---------- |
| All other brands of domestic or imported beer and ale not listed above and not listed in appendix B hereof including unlabeled beer and ale | .15 | .40 |

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such

odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See part II of this appendix A for draft beer and ale.)

GROUP 3B

| Commodity and brand or trade name | Maximum price per bottle | |
|---|---|---|
| | 12-ounce | 32-ounce |
| Beer: | | |
| Ballantine | $0.17 | $0.42 |
| Barbarossa | .17 | .42 |
| Blatz Pilsner | .17 | .42 |
| Budweiser | .17 | .42 |
| Canadian Ace | .17 | .42 |
| Loewers | .17 | .42 |
| Miller's High Life | .17 | .42 |
| Namar Premium | .17 | .42 |
| National Premium | .17 | .42 |
| Pabst Blue Ribbon | .17 | .42 |
| Schlitz | .17 | .42 |
| Trim | .17 | .42 |
| Tru-Blu Old Fashioned | .17 | .42 |
| Ale: | | |
| Ballantine | .17 | .42 |
| Canadian Ace | .17 | .42 |
| Carling's Red Cap | .17 | .42 |
| Champ | .21 | ---------- |
| Krueger Cream | .17 | .42 |
| Red Top | .17 | .42 |
| Imported beer: | | |
| Carta Blanca | .27 | ---------- |
| All other brands of domestic or imported beer and ale not listed above and not listed in appendix B hereof including unlabeled beer and ale | .12 | .37 |

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See part II of this Appendix A for draft beer and ale.)

PART II—DRAFT BEERS AND ALES

| Commodity and brand or trade name | Contents of container | Maximum prices for groups | | |
|---|---|---|---|---|
| | | 1B | 2B | 3B |
| Draft beer and ale—all brands | *Ounces* | | | |
| | 8 | $0.10 | $0.09 | $0.09 |
| | 9 | .11 | .10 | .10 |
| | 10 | .12 | .11 | .11 |

NOTE: For any size of container other than those set forth above the maximum price for sellers of all groups shall be 1¢ per ounce.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax in separately stated and collected.

APPENDIX B

NOTE: This appendix B fixes maximum prices for all groups of sellers on certain so-called "intermediate priced" beers and ales. A seller may not establish his group on the basis of the prices given in appendix B but must determine his group on the basis of prices given for the other brands covered by appendix A.

| Commodity and brand or trade name | Size of bottle | Maximum prices for groups | | |
|---|---|---|---|---|
| | | 1B | 2B | 3B |
| Beer: | *Ounces* | | | |
| Bay State | 12 | $0.20 | $0.17 | $0.17 |
| Burger Brau | 12 | .20 | .17 | .17 |
| Camden Light Lager | 12 | .20 | .17 | .17 |
| Dover | 12 | .20 | .17 | .17 |
| Ebling's Extra | 12 | .20 | .17 | .17 |
| Ehret | 12 | .20 | .17 | .17 |
| Esslinger's | 12 | .20 | .17 | .17 |
| Genesee | 12 | .20 | .17 | .17 |
| Gold Label | 12 | .20 | .17 | .17 |
| Gold Medal Tivoli | 12 | .20 | .17 | .17 |
| Holland | 12 | .20 | .17 | .17 |
| Hornung's | 12 | .20 | .17 | .17 |
| Koenig Brau | 12 | .20 | .17 | .17 |
| Krueger | 12 | .20 | .17 | .17 |
| Lion | 12 | .20 | .17 | .17 |
| Nectar | 12 | .20 | .17 | .17 |
| P. O. S. | 12 | .20 | .17 | .17 |
| Supreme | 12 | .20 | .17 | .17 |
| Bay State | 32 | .45 | .42 | .42 |
| Burger Brau | 32 | .45 | .42 | .42 |
| Camden Light Lager | 32 | .45 | .42 | .42 |
| Dover | 32 | .45 | .42 | .42 |
| Ebling's Extra | 32 | .45 | .42 | .42 |
| Ehret | 32 | .45 | .42 | .42 |
| Esslinger's | 32 | .45 | .42 | .42 |
| Genesee | 32 | .45 | .42 | .42 |
| Gold Label | 32 | .45 | .42 | .42 |
| Gold Medal Tivoli | 32 | .45 | .42 | .42 |
| Holland | 32 | .45 | .42 | .42 |
| Hornung's | 32 | .45 | .42 | .42 |
| Koenig Brau | 32 | .45 | .42 | .42 |
| Krueger | 32 | .45 | .42 | .42 |
| Lion | 32 | .45 | .42 | .42 |
| Nectar | 32 | .45 | .42 | .42 |
| P. O. S. | 32 | .45 | .42 | .42 |
| Supreme | 32 | .45 | .42 | .42 |
| Ale: | | | | |
| Bay State | 12 | .20 | .17 | .17 |
| Dover | 12 | .20 | .17 | .17 |
| New England | 12 | .20 | .17 | .17 |
| Esslinger's Little Man | 12 | .20 | .17 | .17 |
| Bay State | 32 | .45 | .42 | .42 |
| Dover | 32 | .45 | .42 | .42 |
| New England | 32 | .45 | .42 | .42 |
| Esslinger's Little Man | 32 | .45 | .42 | .42 |

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 1¢.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

This Amendment No. 3 to Revised Order No. G-1 under General Order No. 50 shall become effective November 13, 1944 and supersedes any provision of the aforesaid revised order or amendments thereto which are inconsistent with the provisions of this amendment.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued this 10th day of November 1944.

THEODORE S. JOHNSON,
*District Director.*

[F. R. Doc. 45-475; Filed, Jan. 5, 1945; 1:29 p. m.]

[Roanoke Order G-1 Under Gen. Order 50, Amdt. 3]

MALT AND CEREAL BEVERAGES IN ROANOKE, VA.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, General Order No. 50, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, and for the reasons set forth in the accompanying opinion, *It is hereby ordered*, That section 20 of Roanoke (Virginia) District Order No. G-1 under General Order 50, be and it is hereby amended in the manner and to the extent hereinafter set forth:

SECTION 20. *Effective date.* This order shall become effective January 15, 1945.

Issued at Roanoke, Virginia, this 29th day of December 1944.

BERNARD C. GOODWIN,
*District Director.*

[F. R. Doc. 45-469; Filed, Jan. 5, 1945; 1:26 p. m.]

[Region IV Order G-28 Under RMPR 122]

SOLID FUELS PURCHASED FROM CIVILIAN CONSERVATION CORPS

For the reasons set forth in the accompanying opinion, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by section 1340.254 (b) (Rule 4) of Revised Maximum Price Regulation No. 122, *It is hereby ordered:*

(a) On and after the effective date of this order, the maximum prices of all that quantity of approximately 100 tons of high volatile stove coal purchased by F. H. Dame and M. E. Layman of New Castle, Virginia, from the Civilian Conservation Corps of the United States Government, located at an abandoned camp of said Civilian Conservation Corps approximately 4½ miles from New Castle, Virginia, shall be the maximum prices established in this order.

(b) Regardless of any contract, agreement, or other obligation no person shall:

(1) Sell, or in the course of trade or business buy, solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid, or offered.

(2) Obtain a higher than maximum price by:

(i) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(ii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Maximum prices.* (1) The maximum prices for said coal, described in paragraph (a) of this order, shall be $3.86 per ton, f. o. b. the Civilian Conservation Corps abandoned camp site when the sale is made to another dealer.

(2) The maximum prices for said coal, described in paragraph (a) of this order, shall be $7.00 per ton, delivered to consumers in New Castle, Virginia.

(i) When sales are made by dealers to consumers in less than one ton lots such dealer may increase the per ton price by his customary dollars and cents differential for less than one ton sales.

(d) Definitions: (1) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine or preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(2) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(e) Since this order merely establishes maximum prices under rule 4 of § 1340.-254 (b) of Revised Maximum Price Regulation No. 122, all transactions subject to this order shall remain subject to all provisions of Revised Maximum Price Regulation No. 122.

(f) This order may be revoked, amended, or corrected at any time.

(g) This order shall become effective December 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: December 15, 1944.

GEORGE D. PATTERSON, Jr.,
*Acting Regional Administrator.*

[F. R. Doc. 45-473; Filed, Jan. 5, 1945; 1:28 p. m.]

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[Region IV Order G-29 Under RMPR 122]

## SOLID FUELS IN BRISTOL, TENN.-VA., AND VICINITY

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule—Consumer sales.* (1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made within the corporate limits of the Cities of Bristol, Tennessee, and Bristol, Virginia, and within the area lying within fifteen miles of said corporate limits of said cities by the most direct highway route.

(i) "Direct Delivery or Domestic" Basis:

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

| Size | Per ton 2000 lbs. | Per ½ ton 1000 lbs. | Per ¼ ton 500 lbs. |
|---|---|---|---|
| Lump, chunk or block | $7.05 | $3.78 | $2.14 |
| Lump coal, size group 2, price classification A, from Blue Diamond Coal Company, mine index 339 | 7.90 | 4.20 | 2.35 |
| Chunk coal, size group 1, price classification A, from Kemmerer Gem Coal Company, mine index 278 | 7.90 | 4.20 | 2.35 |
| Egg | 6.95 | 3.73 | 2.11 |
| Stove | 6.70 | 3.60 | 2.05 |
| Stoker | 7.30 | 3.90 | 2.20 |
| Run-of-mine | 6.05 | 3.28 | 1.89 |
| Yard slack | 5.00 | 2.75 | 1.63 |

(2) *Maximum authorized additional charges, and required deductions.* (i) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(ii) *Sacked coal.* For egg coal sold in sacks at the yard, the dealer may charge at the rate of not more than 30¢ per 60 pounds, and for egg coal sold in sacks, delivered, the dealer may charge at the rate of not more than 35¢ per 60 pounds.

(iii) *Yard sales.* When a buyer picks up coal at the dealer's yard, the domestic price must be reduced at least 50¢ per ton.

(iv) *Oil or calcium chloride treatment.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other charges on the invoice.

(v) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of the Cities of Bristol, Tennessee and Bristol, Virginia. For deliveries beyond such corporate limits and within fifteen miles thereof, the dealer may add not more than 10¢ per ton per mile and may make a minimum charge of 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the corporate limits to the point of delivery by the most direct highway route. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(vi) *Terms for credit.* No additional charge over the prices established by this order may be made for extension of credit.

(vii) *Adjustments for reallocation of supply source by SFAW.* (a) In the event the Solid Fuels Administrator for War allocates coal to the area covered by this order from a new source of supply having a higher delivered cost to the dealer, a dealer purchasing such coal and offering the same for sale to consumers may file an application for adjustment of the prices set by this order to compensate for such higher delivered cost. Dealers whose place of business is located in that part of the area covered by this order lying in the State of Tennessee shall file such request in duplicate with the Nashville District Office, Office of Price Administration, Nashville, Tennessee. Dealers whose place of business is located in that part of the area covered by this order lying in the State of Virginia shall file such request in duplicate with the Roanoke District Office, Office of Price Administration, Roanoke, Virginia. Each application so filed shall set forth the following:

(1) The size of the coal purchased from the new supply source;

(2) The normal source of his supply of that size of coal (including mine index number), mine cost of such coal, and freight cost (per ton) as of October and November, 1944;

(3) The new supply source of that size of coal (including mine index number), mine cost of such coal, and freight cost (per ton) thereof;

(4) The difference in the delivered cost (mine cost plus freight) of the coal from the normal source of supply and the delivered cost of the coal from the new source of supply.

(5) The increase proposed to be added by the dealer (which may not exceed the amount of cost differential required to be shown under part (4) of this inferior subdivision (a)), stated on a per ton basis, and also for such less than one ton selling lots as are customarily sold by the dealer.

(b) The increase requested by the applicant shall not be added to the prices established by this order until the appropriate District Price Executive, by letter, acknowledges receipt thereof. If such letter contains a request for additional information or for correction of errors in the application, the increase requested shall not be used until the dealer has furnished such information or made such correction and has received acknowledgment thereof from the District Price Executive. The increase may be added, however, if no acknowledgment or request for additional information or for correction of the application shall have been mailed to the applicant within ten days from the date of mailing of the application to the appropriate District Office.

(c) The Regional Administrator of the Atlanta Regional Office may at any time disapprove, correct, or modify any requested increase, but such disapproval, correction, or modification shall not be retroactive.

(d) A dealer, in order to make any additions permitted by this paragraph, must show the increase as a separate charge on the customer's invoice or sales ticket, bearing the notation "Increase

because of SFAW reallocation of supply source".

(e) This subdivision (c) (2) (vii) shall be effective through and including March 31, 1945. After that date all increases authorized under the terms hereof shall be automatically terminated and cancelled without further action by the Office of Price Administration.

(d) *Ex Parte 148 freight rate increase: transportation tax*—(1) *The freight rate increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta 3, Georgia. If such petition is filed with the Regional Administrator action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations.* (1) *Licensing and registration.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or of one or more applicable price schedules, regulations, or orders. A seller whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the nearest District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(i) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) *"Lump, egg, stove, stoker, etc."* sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(m) This Order No. G–29 under Revised Maximum Price Regulation No. 122 incorporates substantially the same provisions as are found in Appendix VII to Order No. G–17 under Revised Maximum Price Regulation No. 122, which appendix was added by Amendment No. 8 to said Order No. G–17. As stated in the accompanying opinion, it has been necessary to add a semi-automatic provision to allow price increases resulting from reallocation of supply sources by the Solid Fuels Administrator for War.

As of the effective date hereof, this Order No. G–29 supersedes said Appendix VII of Order No. G–17.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective December 26, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued December 20, 1944.

THOMAS L. HISGEN,
*Acting Regional Administrator.*

[F. R. Doc. 45–454; Filed, Jan. 5, 1945; 1:19 p. m.]

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[Region VII Order G–1 Under SR 15, Amdt. 5]

FLUID MILK IN MONTANA

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.75 (a) (9) (i) (*a*) (*1*) (*i*) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 5 is issued.

1. Subparagraph (1) of paragraph (e), as amended by Amendment No. 3, is hereby revised and amended to read as follows:

(e) *Definitions.* (1) "District No. 1" means all that area in the State of Montana contained within the municipalities of Seeley Lake, Anaconda, Butte, Helena, East Helena, Great Falls, Miles City, Forsyth, and Deer Lodge, and a distance of five miles beyond the corporate limits of each of said municipalities at all points.

2. Subparagraph (2) of paragraph (e), as amended by Amendment No. 3, is hereby revised and amended to read as follows:

(2) "District No. 2" means all that area in the State of Montana contained within the municipalities of Sidney, Fairview, Shelby, Cut Bank, Belt, Phillipsburg, and Havre, and a distance of five miles beyond the corporate limits of each of said municipalities at all points, and the municipality of Hardin, and a distance of twelve miles beyond the corporate limits thereof at all points.

3. *Effective date.* This Amendment No. 5 shall become effective on the 27th day of December 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 27th day of December 1944.

RICHARD Y. BATTERTON,
*Regional Administrator.*

[F. R. Doc. 45–455; Filed, Jan. 5, 1945; 1:19 p. m.]

[Region VII 2d Rev. Order G–4 Under MPR 329, Amdt. 1]

FLUID MILK IN MONTANA

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1351.408 (a) (1) (i) of Maximum Price Regulation No. 329, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Subparagraph (3) of paragraph (h) is amended to read as follows:

(3) "District No. 1" of the State of Montana means the municipalities of Seeley Lake in Missoula County, Anaconda in Deer Lodge County, Butte in Silver Bow County, Deer Lodge in Powell County, Helena and East Helena in Lewis and Clark County, Great Falls in Cascade County, and Miles City in Custer County, and a distance of five miles beyond the respective corporate limits of each such municipality at all points, and the municipality of Forsyth in Rosebud County, and a distance of 12 miles beyond the corporate limits thereof at all points.

2. Subparagraph (4) of paragraph (h) is amended to read as follows:

(4) "District No. 2" of the State of Montana means all that part of the state not included within District No. 1 as defined in subparagraph (3) above, as amended by this Amendment No. 1.

3. *Effective date.* This Amendment No. 1 shall become effective on the 27th day of December 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

Issued this 27th day of December 1944.

RICHARD Y. BATTERTON,
*Regional Administrator.*

[F. R. Doc. 45–456; Filed, Jan. 5, 1945; 1:21 p. m.]

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[Region VII Order G–26 Under RMPR 122, Amdt. 24]

SOLID FUELS IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 24 is issued.

1. Paragraph (n), *"Records"*, of Order No. G–26 under Revised Maximum Price Regulation No. 122 is hereby revised and amended to read as follows:

(n) *Records.* Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information: The name and address of the seller and the purchaser; the kind, size, and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated; and further provided that provisions of this paragraph (n) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

2. This Amendment No. 24 shall become effective on the 26th day of December 1944.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of December 1944.

RICHARD Y. BATTERTON,
*Regional Administrator.*

[F. R. Doc. 45–474; Filed, Jan. 5, 1945; 1:28 p. m.]

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[Region VIII Order G–1 Under MPR 429, Revocation]

REBUILT BICYCLES IN LOS ANGELES, CALIF., AREA

For the reasons set forth in the accompanying opinion and pursuant to the authority vested in the Regional Administrator by section 9 of Maximum Price Regulation No. 429, as amended, Order No. G–1 under Maximum Price Regulation No. 429, as amended, is hereby revoked.

This order shall become effective December 22, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of December 1944.

CHAS. R. BAIRD,
*Regional Administrator.*

[F. R. Doc. 45–468; Filed, Jan. 5, 1945; 1:26 p. m.]

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[Region VIII Rev. Order G–7 Under MPR 280, Amdt. 3]

FLUID MILK AND CREAM IN SNOHOMISH COUNTY, WASH.

For the reasons set forth in an opinion issued simultaneously herewith, and un-

der the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.817a of Maximum Price Regulation No. 280, it is hereby ordered, as follows:

1. The first sentence in subparagraph (a) (4) is amended to read as follows:

(4) The maximum prices at which any farmers' cooperative may sell milk as a handler from a plant located in Snohomish County, Washington, shall be those established under subparagraphs (1) and (2) above or the following prices f. o. b. seller's plant, whichever are higher;

2. This amendment shall become effective November 8, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of December 1944.

CHAS. R. BAIRD,
*Regional Administrator.*

[F. R. Doc. 45-467; Filed, Jan. 5, 1945; 1:26 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File 811-374]

WESTERN COMMONWEALTH CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of January, A. D. 1945.

An application having been filed by Western Commonwealth Corporation, pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said act;

*It is ordered,* Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on February 1, 1945 at 10:00 a. m., Pacific war time, at the offices of the Securities and Exchange Commission, 312 North Spring Street, Los Angeles, California.

*It is further ordered,* That John G. Clarkson, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL DUBOIS,
*Secretary.*

[F. R. Doc. 45-575; Filed, Jan. 6, 1945; 3:14 p. m.]

[File Nos. 54-74, 59-69]

NORTH CONTINENT UTILITIES CORP.

ORDER RELEASING JURISDICTION WITH RESPECT TO FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of January, A. D. 1945.

The Commission having by order entered on November 16, 1943 (Holding Company Act Release No. 4686) approved a plan providing for the liquidation and dissolution of North Continent Utilities Corporation, a registered holding company, filed by that company and its subsidiary companies, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, designed to enable the North Continent holding company system to comply with section 11 (b) of the act; and the Commission having by said order reserved jurisdiction to consider the reasonableness of all fees and expenses;

North Continent Utilities Corporation having now filed an application herein for the release of jurisdiction heretofore reserved over said fees and expenses, together with a statement of actual fees and expenses incurred by it in the total amount of $25,592.24, and it appearing to the Commission that said fees and expenses are not unreasonable, and that jurisdiction over such matters should be released;

*It is ordered,* That jurisdiction reserved in the order heretofore entered herein on November 16, 1943 with respect to the said fees and expenses of North Continent Utilities Corporation be and hereby is released.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
*Secretary.*

[F. R. Doc. 45-574; Filed, Jan. 6, 1945; 3:14 p. m.]

[File No. 59-15]

NORTHERN NEW ENGLAND CO., AND NEW ENGLAND PUBLIC SERVICE CO.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of January 1945.

The Commission having by order dated December 5, 1944 designated January 9, 1945 as the date for reconvening the hearing in the above entitled proceedings for the purpose of adducing evidence with respect to an amended plan of reorganization filed by New England Public Service Company, or any other plan or plans that may be filed by any duly qualified person or persons, and for certain other purposes; and

Lester Martin, William S. Spatcher and Howard H. Hubbard, who have on file with the Commission an undisposed of declaration pursuant to which they propose to act as a protective committee for the holders of the preferred stock of New England Public Service Company, having requested that the hearing in this matter be postponed for thirty days from the date designated for said hearing; and

The Commission deeming it appropriate under the circumstances that the request for postponement of the hearing be granted;

*It is ordered,* That the hearing in this matter previously scheduled to reconvene for January 9, 1945 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, be, and hereby is, postponed to February 6, 1945 at the same hour and place and before the trial examiner as heretofore designated.

*It is further ordered,* That the time within which any person desiring to be heard or otherwise to participate in said proceedings shall file his request or application therefor with the Secretary of the Commission, as provided by Rule XVII of the Commission's rules of practice, be, and the same hereby is, extended to February 3, 1945.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
*Secretary.*

[F. R. Doc. 45-590; Filed, Jan. 8, 1945; 9:38 a. m.]

## UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4418, 4426, 4481, 4488, and 4491, as amended, 49 Stat. 1544 (46 U. S. C. 375, 391a, 392, 404, 474, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (3 CFR Cum. Supp.), the following approval of equipment is prescribed:

APPROVAL OF EQUIPMENT

LIFEBOAT

18' x 6' x 2' 4½" metallic oar-propelled lifeboat (15-person peacetime capacity, 12-person wartime capacity) (General Arrangement Dwg. No. 2014, dated 20 December, 1944), submitted by Imperial Lifeboat & Davit Co., Inc., Athens, New York.

LIFE RAFTS

20-person improved type life raft, Model No. 16-S, balsa wood and Styrofoam filled (General Arrangement Dwg. No. LR216-S-44, dated 29 December, 1944), submitted by the Royal Marine Equipment Corp., 310 West 68th St., New York, N. Y.

20-person improved type life raft, Model No. 16-C, balsa wood and cork filled (General Arrangement Dwg. No. LR216-C-44, dated 29 December, 1944), submitted by the Royal Marine Equipment Corp., 310 West 68th St., New York, N. Y.

TELEPHONE SYSTEM

Sound powered telephone equipment, Type A, Model WT-1, with 6" external bell, bulk-

head mounting, watertight (Dwg. No. 11, dated 19 April 1944), submitted by Hose-McCann Telephone Co., 177 Pacific Street, Brooklyn, New York.

*Correction.* In F.R. Doc. 44-19423, which appears on page 15029 for the issue of Wednesday, December 27, 1944, the description of the Luminous Marking for Interior Accommodations of the E. P. Lynch, Inc., should read:

LUMINOUS MARKING FOR INTERIOR ACCOMODATIONS

Luminous marking, designated Lytape, Type PL-15-20R, submitted by E. P. Lynch, Inc., 92 Weybossett Street, Providence, R. I.

Dated: 6 January 1945.

R. R. WAESCHE,
*Vice Admiral, U. S. C. G.,*
*Commandant.*

[F. R. Doc. 45-594; Filed, Jan. 8, 1945; 10:45 a. m.]

## WAR PRODUCTION BOARD.

[C-242]

HOTEL EDISON CORPORATION

CONSENT ORDER

Hotel Edison Corporation of 228 West 47th Street, New York, New York, is a New York corporation engaged in the operation of a hotel. It is charged by the War Production Board with a violation of Conservation Order L-41 in that on or about February 16, 1943, it purchased, accepted delivery of and thereafter installed an air conditioning system at a total cost of approximately $18,000 on premises owned and controlled by it at 228 West 47th Street, New York, New York. Hotel Edison Corporation admits the violation as charged and does not care to contest the wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of the Hotel Edison Corporation, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Hotel Edison Corporation, its successors or assigns, shall do no construction (as defined in or governed by Conservation Order L-41, as amended from time to time) on the premises at 228 West 47th Street, New York, New York, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board. The provisions of this paragraph shall not apply to such construction which is in a total amount of less than $100 during the effective period of this order.

(b) No blanket authorization or blanket permission for miscellaneous construction shall be issued to Hotel Edison Corporation, its successors or assigns.

(c) The provisions of this consent order shall not apply to maintenance and repair as defined in or governed by Conservation Order L-41, as amended from time to time.

(d) This order shall take effect upon issuance and shall expire on December 31, 1945.

Issued this 6th day of January 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45-579; Filed, Jan. 6, 1945; 4:26 p. m.]

[Certificate 211]

FORM OF CONTRACT FOR PROCURING MATERIALS FOR WAR AND ESSENTIAL CIVILIAN REQUIREMENTS

APPROVAL OF FORM

The ATTORNEY GENERAL:

I submit herewith a copy of a form of contract proposed to be entered into by an agency of the Government of the United States for the purpose of procuring materials for war and essential civilian requirements.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the proposed form of contract; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with the terms of a contract the substantive provisions of which are those of the form submitted herewith is requisite to the prosecution of the war.

Dated: January 3, 1945.

J. A. KRUG,
*Chairman.*

[F. R. Doc. 45-626; Filed, Jan. 8, 1945; 11:44 a. m.]

## WAR SHIPPING ADMINISTRATION.

"EQUATOR"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on July 10, 1942, title to the vessel "Equator" (224397) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: January 3, 1945.

[SEAL] E. S. LAND,
*Administrator.*

[F. R. Doc. 45-453; Filed, Jan. 5, 1945; 1:12 p. m.]